

## Legislative Assembly of Alberta

Title: **Monday, March 29, 1999** 1:30 p.m.

Date: 99/03/29

[The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon. The prayer this afternoon is an excerpt from the prayer used in the House of Commons in Ottawa. Let us pray.

Guide us in our deliberations as Members of the Legislative Assembly and strengthen us in our awareness of our duties and responsibilities as members.

Grant us wisdom, knowledge, and understanding to preserve the blessings of this country and this province for the benefit of all and to make good laws and wise decisions.

Amen.

Please be seated.

head: Presenting Petitions

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

DR. MASSEY: Thank you, Mr. Speaker. With permission I would present another SOS petition with citizens names from Vegreville, Viking, Grimshaw, and Dunvegan urging

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

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

MRS. SOETAERT: Thank you very much, Mr. Speaker. I have an SOS petition as well signed by 68 people from Spruce Grove, Warburg, Devon, Thorsby, Stony Plain, Rimbey, Red Deer, Calgary, as well as Edmonton, and they are petitioning the Legislative Assembly

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

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

DR. NICOL: Thank you, Mr. Speaker. I also have a petition this afternoon with 26 names from constituents from Lethbridge and area. This is a petition that urges

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

Thank you.

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

MR. BONNER: Thank you very much, Mr. Speaker. I beg leave to present a petition on behalf of 61 Albertans, and they are requesting that

the Government increase support for children in public and separate schools to a level that covers increased costs due to contract settlements, curriculum changes, technology, and aging schools.

Thank you.

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

MR. SAPERS: Thank you, Mr. Speaker. With your permission I'd to table the following petition that has been signed by 101 Edmonton residents:

We, the undersigned residents of Alberta, petition the Legislative Assembly and the Government of Alberta to hold widespread public hearings involving as many ex-clients as want to be heard before making any changes to the Assured Income for the Severely Handicapped program.

I want to thank Haley and Jeremy and Vaughn for their assistance with this.

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

MR. MacDONALD: Thank you, Mr. Speaker. I beg leave to present an SOS petition signed by citizens from Nampa and Peace River. This petition urges

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

Thank you.

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

MR. WHITE: Thank you, Mr. Speaker. I rise today to deliver a petition on behalf of the SOS committee. These 35 people come from Wabamun, Fallis, Duffield, Seba Beach, and Carvel. They in fact

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

head: Notices of Motions

THE SPEAKER: The hon. Member for Edmonton-Highlands on an SO 40.

MS BARRETT: Yes, Mr. Speaker. I rise to give oral notice that following question period today I'll move the following motion under Standing Order 40:

Be it resolved that the Legislative Assembly urge the government to make public today the complete, unedited report and recommendations of the Bill 37 review panel.

head: Tabling Returns and Reports

MR. KLEIN: Mr. Speaker, it's my pleasure to table our response to Motion for a Return 77. You'll see by our response that the information the hon. Member for Edmonton-Glenora is seeking is better handled under Motion for a Return 107, which will be considered by the minister of science, research, and information technology.

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

MRS. MacBETH: Thank you, Mr. Speaker. I want to table a letter which I have sent today to the U of A Golden Bears congratulating them on winning the gold medal for University Cup hockey.

Secondly, I'd like to table the response to my letter to the Premier of March 24, his response back to me.

THE SPEAKER: The hon. Minister of Environmental Protection.

MR. LUND: Thank you, Mr. Speaker. I'm pleased to table this afternoon six copies of a document entitled Alberta's Commitment to Sustainable Resource and Environmental Management. This new policy will streamline and clarify natural resource and environmental management decisions across several government departments.

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

MR. DICKSON: Thank you, Mr. Speaker. This afternoon I'm pleased to table copies of a report prepared by the University of Calgary students' union entitled University Accessibility in Alberta, which confirms that there's considerable doubt that the Alberta postsecondary education system is meeting its stated principles.

Thank you.

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

MRS. SOETAERT: Thank you very much, Mr. Speaker. I'd like to table the appropriate copies of a letter from St. Joseph school council in Spruce Grove. In their letter they'd like to address the recent funding crisis within our public and separate education systems. They feel that education is an investment, not an expense.

Thank you.

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

MS BLAKEMAN: Thank you very much, Mr. Speaker. I'd like to table five copies today of a letter from a constituent, Darryl Anderson, who is writing with concern about proposed Bill 20. He's most concerned about the move to eliminate the Board of Reference and deprofessionalize teachers.

Thank you very much, Mr. Speaker.

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

MR. MacDONALD: Thank you, Mr. Speaker. I rise this afternoon to table five copies of a 1998 survey of provincial prescription drug benefit formulas. This information was compiled last November by KPMG on behalf of everyone in the province.

Thank you.

THE SPEAKER: The hon. Minister of Intergovernmental and Aboriginal Affairs.

MR. HANCOCK: Thank you, Mr. Speaker. It gives me pleasure today to table the requisite number of copies of answers to questions asked of me during the subcommittee of supply in defence of my estimates.

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

MS OLSEN: Thank you, Mr. Speaker. I have four tablings today. The first one is the Institute of Law Research and Reform, University of Alberta, publication on the unified family court.

The second one is the Law Reform Commission of Canada working paper number 1 on family court reform.

The third one is the Institute of Law Research and Reform, University of Alberta, working paper on family court.

The final one is the Institute of Law Research and Reform, University of Alberta, Family Law Administration: the Unified Family Court, report 25.

Thank you.

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

MRS. SLOAN: Thank you, Mr. Speaker. I'm pleased today to rise and table five copies of Reaching Home, a communication initiative of James Gibbons school in Edmonton-Riverview. The feedback received through this tool has been sent to both the hon. Minister of Education and myself. It provides some insightful thoughts and suggestions as to how our public education system could be strengthened and what ideas these parents would offer to the school district and government with respect to building a better education future for our children in this province.

Thank you.

head: Introduction of Guests  
1:40

THE SPEAKER: The hon. Minister of Transportation and Utilities.

MR. PASZKOWSKI: Thank you, Mr. Speaker. It's my pleasure this afternoon to introduce to you and through you to members of the Assembly Don Herring, the managing director of the Canadian Association of Oilwell Drilling Contractors, and Stewart Hartfield, James Storey, Bryan Toth, and Kai Kristensen of the Canadian Association of Oilwell Drilling Contractors as well as Alberta Transportation and Utilities staff Roger Clarke. The service rig executive worked with Alberta Transportation and Utilities staff to negotiate the recent agreement which will ensure the safe transportation of oil service rigs on Alberta highways. They are seated in the members' gallery, and I would ask that they arise and receive the usual warm welcome of the House.

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

MR. THURBER: Thank you, Mr. Speaker. It is indeed my pleasure today to introduce to you and through you to this Assembly a constituent of mine, Rick Wilson, who is a councillor in the county of Wetaskiwin and chair of the Crossroads regional health authority, but most important he's the father of one of our bright young pages, Robin Wilson. I would ask that Rick rise and that everybody accord him the usual welcome of the House.

THE SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. It is my pleasure to rise today and introduce to you and through you to the members of this Assembly 22 visitors from the 524 Sturgeon Royal Canadian Air Cadets. Accompanying them are leaders Captain Darrell Smith, Lieutenant Stan Neufeld, OCDT Gene Kushnir, CI Katie Miller, and Mrs. Jocelyne Neufeld. I would ask them to please rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Leduc.

MR. KLAPSTEIN: Thank you, Mr. Speaker. It is my privilege to introduce to you today and through you to Members of the Legislative Assembly 14 visitors from the Cornerstone Christian school at Kingman. They are seated in the public gallery. They are accompanied by teacher Bonnie Hart and parents Mrs. Weber and Mr. Kozmeniuk. I would ask them to rise and receive the traditional warm welcome of the House.

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

MRS. O'NEILL: Thank you, Mr. Speaker. I have two introductions

today. First, I'd like to introduce to you and through you to members of this Assembly Mr. Dylan Scammell, who is seated in the members' gallery. Dylan is a student of the combined MBA and law degree course at the University of Alberta. He's seated in the members' gallery, and I'd ask him to please stand and receive the warm welcome of the Assembly.

Seated behind him, Mr. Speaker, it's my pleasure to introduce again to you and through you to members of this Assembly 22 visitors from the First St. Albert Cub Pack. They're seated in the members' gallery. There are 16 Cubs, five adults, and one young student. They are accompanied by their leaders: Mrs. Cathy Haliburton, Mr. Stephen Maunder, Mrs. Jackie Hansen, Mr. Dorian Sevigny, and Mr. Ken Kadis. I would ask them all to please stand and receive the warm welcome of the Assembly.

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise to introduce to you Mr. Brian Hlus, who is a near original member of the Chermosh Ukrainian dancers, who this year are celebrating their 30th anniversary. They kicked that off at a wonderful celebration at city hall last Saturday. I know Mr. Hlus is in top shape and will rise as he has on many occasions on stage. And by the way, if you have donations, he'll happily receive them.

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

MS BARRETT: Thank you, Mr. Speaker. Brian and I are becoming institutions around here, it would seem.

Mr. Speaker, it's my pleasure today to introduce 14 students from the Grant MacEwan social work program. Those students include the integration seminar co-ordinators, Leigh Robinson and Penny Funston-Wilkes, the latter of whom works in my constituency office. As well, they are accompanied by my constituency assistant, Tom Bremner, and the program co-ordinator from Grant MacEwan, Kathaleen Quinn. I'd ask them to all rise and receive the traditional warm welcome of the Assembly.

head: Ministerial Statements

#### **Transportation of Oil Well Service Rigs**

MR. PASZKOWSKI: Mr. Speaker, I'm pleased to talk about an agreement recently negotiated to ensure the safe transportation of oil well service rigs on Alberta highways. Representatives from the Canadian Association of Oilwell Drilling Contractors Service Rig Executive Committee and Alberta Transportation and Utilities vehicle safety and carrier services branch partnered to negotiate this agreement. Alberta Municipal Affairs, Registries, and Alberta Labour workplace health and safety branch also contributed to the agreement process.

In the past 10 years the oil well service industry has received a number of exemptions from transportation safety regulations. Concerns about how this has affected highway safety and the industry's need for flexible operations led to a thorough review of these exemptions. Thus the industry gave up these privileges in return for a performance-based system that could result in individual contractors losing their privileges due to poor safety performance.

The three partners worked together to come up with a solution that would address highway safety while recognizing the unique nature of the oil well service industry. Any solution would also need to address their requirement for flexibility in achieving highway operational safety.

The CAODC valued the exemptions already in place and agreed

to a partnership with the department to negotiate an agreement. Industry accepted the responsibility for driver education and training, vehicle maintenance, and the issue of combating driver fatigue. Resolving these issues will result in enhanced highway safety and driver performance.

Mr. Speaker, I'm pleased to see the industry working with government to arrive at solutions that work for all partners.

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

MRS. SOETAERT: Thank you very much, Mr. Speaker. I would like to briefly respond to the minister's statement on the joint agreement between the Canadian Association of Oilwell Drilling Contractors and Alberta Transportation and Utilities. I endorse any measures that will improve road safety. I know that some people in the industry have been concerned about the fact that oil well service rigs were exempt from some of the transport safety regulations. I've not had an opportunity to yet read the specific agreement, so I'm unable to determine whether this joint agreement will meet the dual needs of public safety and flexibility for the industry, and of course public safety must come first.

Due to the nature of this industry some individuals work very long shifts. I am pleased that the industry is taking responsibility for combating driver fatigue. I am concerned that there need to be some strict standards to ensure that drivers are not permitted to work excessively long hours. Operators in the industry recognize that fatigue is a major cause of road deaths.

Last year the *Occupational Health & Safety Magazine* published an excellent article on driver safety. An Alberta Labour safety officer stated in that article, "We don't . . . have any legislation with teeth to stop workers having to work long hours." However, even if there is good legislation, enforcement is difficult.

It is good when the industry takes responsibility for improving standards. The government also has a role, and I hope they will ensure that this new performance-based system that will be delivered by individual contractors will maintain the high standards of safety Albertans deserve.

Thank you.

head: Oral Question Period

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

#### **Education Funding**

MRS. MacBETH: Thank you, Mr. Speaker. The Premier dismisses questions raised by the Official Opposition on school funding as small problems. To us these small problems are our children and their future. Edmonton's Rio Terrace school was held out by the Premier as one of the 15 problem-free schools that he would bring forward for every school that is experiencing difficulties. My questions are to the Premier. Will the provincial budget mean that Rio Terrace school will not be losing the two teaching positions this year?

1:50

MR. KLEIN: Mr. Speaker, that's a specific question that can be answered much more appropriately by the Edmonton board of education or by the Minister of Education.

Since the hon. member alluded to 15 schools, I've got my list of 15 here today if she wants to go through. Olds junior/senior high school exceeded the provincial average in the number of Rutherford

scholarships in 1997-1998 with 18.3 percent of the diploma writers receiving scholarships. Coronation school: students at the school achieved levels of performance at or above the acceptable standard levels of performance achieved by the province in diploma exam marks, 1997-98, in a number of subjects including bio 30, chem 30, English 30, English 33, math 30, social studies 30. Ponoka Composite high school . . . Mr. Speaker, I could on and on and on, but I'll be glad to maybe table this tomorrow, and the hon. member can have a look at it.

MRS. MacBETH: Mr. Speaker, now that the Red Deer Catholic school board has chosen not to use gambling proceeds to supplement its budget, will the government ensure that new equipment is available to schools like St. Martin and Notre Dame in that school division?

MR. KLEIN: Mr. Speaker, I don't know the situation in Red Deer relative to these specific schools, but I know that Elmsworth school in the Peace-Wapiti regional district is doing very well, Worsley Central school, John G. Diefenbaker high school in Calgary, Morinville community high school in Morinville, Senator Buchanan elementary school in Lethbridge, Banded Peak, Bishop Carroll high school, Alex Ferguson school, Bishop Grandin high school. The list goes on and on.

MRS. MacBETH: Thanks, Mr. Speaker. Given a \$317,000 deficit that exists and plans to drop autobody, drama, music, honours social studies, and honours math, which of these courses at the Wetaskiwin composite high school will be saved as a result of the provincial budget?

MR. KLEIN: Mr. Speaker, the hon. minister I'm sure will look into that particular situation.

Again, the point I'm wanting to make, Mr. Speaker, is that all is not doom and gloom. There are literally hundreds of schools in this province doing quite well, and I would hope that they will do even better with the 600 million additional dollars invested in education over the next three years. I'm sure that the Liberals are providing assistance, as I understand it from newspapers -- maybe they can correct me if I'm wrong -- no doubt using taxpayers's dollars, to certain groups who want even more than the \$600 million.

To remind the hon. leader of the Liberal opposition where this money is going: \$116 more for every student in the classroom for basic education this September, bringing per student funding to \$3,976. For a class of 26 that's just over \$3,000 more for a total of just over \$100,000 for just basic instruction, which includes teacher salaries. Teacher salaries range from \$34,000 to \$57,000 in the 1999-2000 school year depending on training and experience.

There will be \$348 more this September for every student in the classroom with a severe physical or mental disability, including autism. That's on top of the basic instruction grant. There will be \$267 more this September for every student in the classroom with a severe emotional or behavioural disability, including attention deficit and hyperactivity disorders. This is also on top of the basic instruction grant for students. There will be \$20 more this September for every student in the class who qualifies for a English as a Second Language program, bringing funding to \$677 per student on top of the basic instruction grant, Mr. Speaker. Again, the list goes on.

The point I'm trying to make, Mr. Speaker, is that they are not interested in good news over there. They travel the province at taxpayers' expense to find out and tell people not what's right with this province but what's wrong with it. And that's wrong.

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

#### West Edmonton Mall Refinancing

MRS. MacBETH: Thanks, Mr. Speaker. Today the Alberta Treasury Branch filed their reply in court regarding the 1994 refinancing of West Edmonton Mall. My questions are to the Premier. Given the Premier's claim that the Alberta solution for refinancing West Edmonton Mall was prudent and negotiated at arm's length, why do the Alberta Treasury Branches now say the direct opposite: that the 1994 refinancing was imprudent and not arm's length? Who are Albertans to believe?

MR. KLEIN: Mr. Speaker, all I know is that this matter was referred to the Auditor General and the Auditor General ruled on at least three occasions throughout the report that there was no inappropriate political involvement in West Edmonton Mall.

Mr. Speaker, relative to certain allegations that have been made by Mr. Leahy and others, a statement of defence has been filed, and this now is before the courts.

MRS. MacBETH: Mr. Speaker, with the obvious contradiction between the words of the Premier and the Alberta Treasury Branches, will the Premier now call a public inquiry so that Albertans's can finally learn the truth?

MR. KLEIN: Well, Mr. Speaker, to my knowledge now there are about six court actions, and this is before the highest court in the land. The trials will be before the Court of Queen's Bench. To my way of thinking that will provide us with probably the greatest opportunity for a public inquiry that these people would ever want.

#### Private Health Services

MRS. MacBETH: My third question, Mr. Speaker. The government's record on promoting private health care is causing Albertans concern, particularly as they've seen public expenditures on private health care rise from 24 percent to 31 percent. Recently the government has attempted to set up controls on doctors' activities similar to American HMOs, and now we have a report from the Bill 37 review panel which is being kept under wraps. My questions are to the Premier. Does the government intend to limit the expansion of private, for-profit health care in Alberta?

MR. KLEIN: Mr. Speaker, what we intend to do is to do what we have to do to maintain the credibility and the true nature of the Canada Health Act.

Relative to the report, yes, it was received by agenda and priorities today. It will probably go to cabinet tomorrow, and I think it's going to be released sometime this week.

I'll have the hon. minister reply.

MR. JONSON: Yes, Mr. Speaker, we do plan to release the report in a couple of days. Just in case I can anticipate the second question, you can be assured that with the qualifications of that panel and the wisdom that they would bring to the activity, we will release it in its entirety. Unedited, I can assure you.

MRS. MacBETH: Thanks, Mr. Speaker. That's great. They're listening.

Will the government commit to a cost-benefit analysis of the existing private, for-profit clinics versus existing public facilities?

MR. KLEIN: I don't know what the hon. member is talking about in terms of private clinics. Virtually every clinic that is run by a doctor or a dentist is a private clinic, Mr. Speaker. [interjections] Yes, including some MRI clinics. But they all conform with the rules of the Canada Health Act. As far as I know, there are hundreds of private clinics. I mean, that's what doctors do: they run private clinics. Sometimes, of course, they work in hospitals and some are staff doctors, but by and large doctors operate out of private clinics.

MRS. MacBETH: Mr. Speaker, he's right. There are hundreds of private clinics. The question is: will the government release the existing contracts, which are expenditures of public funds for those private clinics, so Albertans can know that their taxpayer dollars are being spent wisely?

2:00

MR. KLEIN: I'll let the hon. minister supplement.

Mr. Speaker, it is clearly a function of the college to make sure that doctors who run private clinics aren't overbilling and are indeed using public dollars augmented by health care premiums properly, that they're getting those moneys properly.

MR. JONSON: Mr. Speaker, the hon. Leader of the Opposition may recall that all physicians in this province are funded publicly vis-à-vis an Alberta Medical Association agreement. Whether you are a psychiatrist in Edmonton or in Calgary, you are on the same basic fee schedule.

Also, when it comes to private clinics, where there are contracts, there is a standard rate per procedure that is paid for by the regional health authority. That can certainly be provided, and then you can just multiply as to how many there are.

THE SPEAKER: The hon. NDP opposition. The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Edmonton-Beverly-Clareview.

### Education Policy

DR. PANNU: Thank you, Mr. Speaker. At noon today there were many parents and grandparents and children gathered in a rally in front of the Legislature protesting the underfunding of their schools in this city and in this province. These parents, teachers, and administrators are all giving this government a performance rating of F for failing to listen to their concerns. My question is to the Premier. How can the Premier say that his government is doing a good job in education when Alberta still has by far the largest classroom sizes of any Canadian province?

MR. KLEIN: Mr. Speaker, again I can go through the list school by school and start to read off the results. You know, it was the hon. leader of the Liberal opposition who when she was in government said: it's not how much money you put into the system; it's how that money is spent.

MR. SAPERS: That's the last time that education was a priority. It's about time it came back.

MR. KLEIN: And it's a priority today, Mr. Speaker. We have said that education funding is a priority. That's why we have increased funding 19 percent -- one nine percent -- over the next three years, which more than accounts for inflation and population growth: 19 percent, six hundred million extra dollars going directly into education and for frontline services.

DR. PANNU: Thank you, Mr. Speaker. I wonder why the Premier won't admit that the reason parents and teachers don't trust this government is because his government fails to consult and instead treats school boards, parent councils, and Alberta's teachers with such little respect.

MR. KLEIN: Mr. Speaker, we have the utmost respect for Alberta teachers and the parent councils, the school councils that work with those parents and, yes, indeed the administration, which is now focused. We have the greatest respect for all people involved in our province's education systems.

DR. PANNU: Thank you, Mr. Speaker. My second supplementary is also to the Premier. When is this government going to stop its paternalistic approach and start consulting with teachers and parents before doing things like eliminating the Board of Reference and introducing so-called performance incentive funding for schools?

MR. KLEIN: Mr. Speaker, relative to the Board of Reference and the rationale for the action taken in that regard, I'll have the hon. Minister of Education respond.

MR. MAR: Well, Mr. Speaker, the hon. member knows that Bill 20, which contains the provisions as they relate to the Board of Reference, is up for second reading this afternoon, and accordingly we'll look forward to his comments at that time.

THE SPEAKER: The hon. Member for Edmonton-Beverly-Clareview, followed by the hon. Member for Edmonton-Riverview.

### Municipal Transportation Planning

MR. YANKOWSKY: Thank you, Mr. Speaker. It's bad enough to drive my half ton from north to south or south to north across Edmonton, never mind a highboy loaded with drill pipe destined for Fort McMurray. Widening of 75th or 50th streets certainly would help, but residents and business owners are saying no. Yet one of these routes is key to improving north/south truck traffic flow across Edmonton. My questions are all to the minister of transportation. Could the minister tell this Assembly if roadway planning is strictly left up to the cities, or does the province get involved, since it's largely provincial funding?

MR. PASZKOWSKI: Mr. Speaker, it really depends on the nature of the road. The local roads are basically the jurisdiction of the city. If there's provincial road involvement, then the province obviously has input, significant input, into the development of provincial roads. Fiftieth Street and 75th Street are not part of the provincial highways network. Therefore, they are deemed as local roads, which would therefore mean the city would have significant input into the final decision-making process.

Provincial funding is available to the city under the basic capital grant program, and that's 75-25. The province contributes 75 percent; the city would provide 25 percent. In that case the city has to determine its own priorities, and ultimately any funding would have to fit under that particular program. How the cities use their provincial funding is a decision that the cities themselves make through their prioritizing process.

MR. YANKOWSKY: Thank you, Mr. Speaker. Does the province approve final plans submitted by cities for roadway construction?

MR. PASZKOWSKI: Any cost-shared project has to meet the

engineering standards of that particular road. The province has to ensure that major arterials, for example, and major expressways meet the national design code. So it does depend on the nature of the road, and therefore the designing and engineering have to meet the significant codes that are out there, depending on the nature of the planned road usage.

MR. YANKOWSKY: Thank you again, Mr. Speaker. Now, I'm not sure if I was hearing the minister correctly. If the widening of 50th or 75th Street is indeed approved, then who will be paying for this project?

MR. PASZKOWSKI: Again, it depends on the nature of the criteria of that particular road. For example, if it meets the standards -- and that means truck traffic is allowed as well as all vehicular traffic -- then we participate on a 75-25 percent basis. So it does depend on what the nature of that particular road usage is going to be. Under the basic capital grant project it's up to the city to establish those priorities. So, ultimately, the city is the final authority as far as establishing the priorities is concerned.

THE SPEAKER: The hon. Member for Edmonton-Riverview, followed by the hon. Member for Innisfail-Sylvan Lake.

#### **Assured Income for the Severely Handicapped**

MRS. SLOAN: Thank you, Mr. Speaker. My questions are to the Minister of Family and Social Services. What nonidentifiable particulars can the minister provide on the reported seven AISH millionaires?

DR. OBERG: Mr. Speaker, in essence I would say that there is no nonidentifiable information that I can provide on them. The issue becomes that we cannot identify these people. If there's any way that I can give them more information about it, I'd be more than happy to, but I'm not going to give them their names.

MRS. SLOAN: Thank you, Mr. Speaker. Has the minister personally reviewed the files of these seven AISH millionaires?

DR. OBERG: No.

MRS. SLOAN: Thank you, Mr. Speaker. Can the minister confirm, then, that the seven millionaires he used to market the changes to AISH do not exist?

DR. OBERG: Mr. Speaker, I have not used the seven AISH millionaires to market the changes to AISH. Talk about giving me a good opportunity to talk about AISH. I'd like to thank the member. We're doing several things when it comes to AISH. We're looking at extending the medical benefits. I do not know how seven AISH millionaires would play into that at all.

Mr. Speaker, we're looking at rapid reinstatement. We feel that this is a very important aspect of AISH.

I would just like to read some of the letters that have been coming in from organizations about AISH. This is from the Canadian Mental Health Association: "I would like to express my appreciation for the leadership you have shown in responding to the disability community's reaction to proposed AISH changes." I probably have another seven or eight of these.

2:10

The AISH changes have been met with very good remarks from the disabled community, and the hon. member's allegation that it

was on the backs of seven AISH millionaires is completely false. She's sitting over there talking, but I think the hon. member should perhaps get her facts right.

THE SPEAKER: The hon. Members for Innisfail-Sylvan Lake, followed by the hon. Member for Edmonton-Norwood.

#### **Health Legislation Review**

MR. SEVERTSON: Thank you, Mr. Speaker. Earlier today the Minister of Health stated that the report of the independent panel on Bill 37, the Health Statutes Amendment Act, 1998, would be released this week. To the Minister of Health: given the charges by some members of the opposition parties that they fear the government will be doctoring the report prior to the release so that it supports the government's position on the former Bill 37, what steps has the minister taken to ensure that the report is not changed prior to the release?

MR. JONSON: Well, Mr. Speaker, as I indicated in general a few minutes ago, as hon. members are aware, even the member across the way, the panel that did this report took a reasonable period of time to look at the submissions, to look at the legislation. The panel was comprised of some very well-qualified people, including a former member of the Liberal opposition and other very good representatives. I take the view -- and I'm sure all of my colleagues in government do -- that we want to deal with their report in its entirety, with all the recommendations that are contained therein. Therefore there is absolutely no chance, as is always the case with our publicly commissioned reports, that we will not provide it in its entirety.

MR. SEVERTSON: Thank you, Mr. Speaker. My final question is to the Minister of Health. Now that the minister has received the report of the review committee, what action will the government be taking in terms of bringing forward new legislation to ensure that our health system is protected and preserved for the future?

MR. JONSON: Mr. Speaker, in response to the hon. member, I think the first consideration, the first priority must be given to releasing the report and noting or listening to the response that we receive from Albertans to the report. That response, of course, will certainly provide us with the basis for considering any amendments to legislation that are required. That will be the approach we'll take.

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

#### **Unified Family Court**

MS OLSEN: Thank you, Mr. Speaker. The Minister of Justice has the collective support of this Assembly to establish a unified family court. My questions are to the Minister of Justice. When will the minister establish a unified family court, which is the unanimous will of this Assembly?

MR. HAVELOCK: Well, Mr. Speaker, one of the recommendations that came out of the maintenance enforcement and access review was to establish a unified family court. The hon. member is correct; this government supports that. Some of the questions that come up, though, when we're evaluating this: will it improve access, will it be more efficient, what are the costs associated with it, will it simplify the process? [interjection]

The hon. Member from Calgary-Buffalo suggests that we've been studying it for years. Well, that's not accurate. We've studied it for

about a year. It's a very complex issue. It also relates generally to the issues of access, which we discussed at the justice summit, public confidence. Because it's a significant change, it will require the support of both the legal community and the judiciary. We are working with them, and we're working in the context of the recommendations that also came forward from the summit on justice.

I can't give you a specific date. I'd like to have it implemented as quickly as possible. We need to make sure there is buy-in from the judiciary, the legal community, and the public at large.

MS OLSEN: Well, Mr. Speaker, given that the study started in 1972 and we've had 27 years of studies, how much more study could possibly be necessary, Mr. Minister, in order to get going?

MR. HAVELOCK: Well, Mr. Speaker, I haven't read studies from 1972. Quite frankly, times change; needs change; people change. I'm simply working with the present, and it's our intention to work closely with the judiciary and legal community to see how quickly we can implement this. We're in the very initial stages.

I will also indicate to the House that there's not 100 percent support for the concept. In fact, I can suggest at this time that there are some members at the Queen's Bench level who do not support a unified family court, and again there are costs associated with it. So it's going to take us some time. When we actually eliminated the district courts some years ago, that took a significant period of time. We're not going to rush into anything, because we would like to make sure that if we do this, it works properly.

MS OLSEN: Mr. Speaker, given that this is the will of the Assembly and the minister talks about funding issues, will the minister immediately access federal funding that is available for this purpose?

MR. HAVELOCK: Well, I guess I could ask for the money, Mr. Speaker, but I don't have a unified family court to use to access the dollars at this time. I mean, I need to put a system in place. I discussed this, actually, with the federal Justice minister at the summit on justice. She's very supportive, and we're working towards having this implemented.

I'm not going to mislead the House in any way. It's going to take us some time. It's a long-term project. We'd like to get it done, but I'm not going to commit to a date. I'm not going to commit to tomorrow phoning the federal minister and saying, "Give me some money," although I'd like some additional money for young offenders, for example, where they've been underfunding us for quite some time. In any event, we want to see this happen. We're working towards it. That's the government position, and I do appreciate the support from the opposition on the issue.

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

#### **Advanced Education Tuition Fees**

MR. MELCHIN: Thank you, Mr. Speaker. Over the past week many University of Calgary students pitched their tents on campus and were protesting the tuition fee hike discussions by the U of C board of governors. A number of constituents recently have expressed their concerns to me regarding tuition fees. As a parent of three children enrolled in postsecondary institutions in Alberta, I would like to ask my questions today to the Minister of Advanced Education and Career Development. When the 30 percent cap on tuition fees was established, was the cap intended as a target or a cap on tuition fees?

MR. DUNFORD: Mr. Speaker, students had been very concerned about tuition levels and as a matter of fact had expressed a concern that the department of advanced education had a policy: when the policy was 15 percent and tuition got to that level, then all of a sudden the government changed the policy to 20 percent. So they made a submission to the Premier and myself about trying to come to grips with this situation. When we met with them and listened to their concerns, we felt it advisable then to move into legislation what we call a cap of 30 percent. Certainly what the legislation is intending to provide is a maximum level of tuition. Now, whether an individual institution wants to define it as a target, basically that would be up to them, but we see it as a cap or a maximum.

MR. MELCHIN: Thank you, Mr. Speaker. My second question, again to the Minister of Advanced Education and Career Development: why was the maximum allowable annual increase legislated for tuition fees?

MR. DUNFORD: Mr. Speaker, that had been a concession that had built up in consultation between students and the previous minister of advanced education, so it had become part of the tuition policy. So when we legislated the tuition cap and moved the tuition policy into regulation, that was meant, then, to follow as well. So what we're really saying to students is that they can be assured that in the future tuition will not be more than 30 percent of operating expenditures of an institution, and in the meantime they can be assured that any increase in tuition would not go above a certain yearly maximum.

2:20

MR. MELCHIN: Thank you. Then my final question today, Mr. Speaker, is again to the same minister. Given that provincial government grants are increasing and that the universities have reported surpluses, why has the University of Calgary increased their tuition fees by 80 percent of the maximum level?

MR. DUNFORD: Mr. Speaker, I think the system in Alberta with our autonomous boards works extremely well not only for students but for the taxpayers of this province. I'm entirely pleased with the calibre of people that we bring onto the particular boards. Within the context of my previous answer of a maximum yearly increase, I think when it's their decision to be made, as the minister I simply have to be there to try to be supportive not only of course of students themselves but the board as well.

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

#### **Pine Shake Roofing**

MR. MacDONALD: Thank you, Mr. Speaker. The communities of Drayton Valley, Edson, Sundre, Whitecourt, and Stony Plain are also victims of the mismanagement of the Department of Labour. They all receive over 500 millimetres of annual precipitation, and they all have homes with rotting, untreated pine shakes. The minister on March 4 stated regarding a question on this issue, "One limitation was that they could not be used in areas receiving more than 500 millimetres in average annual precipitation." My questions are to the Minister of Labour this afternoon. Why were untreated pine shakes installed in Stony Plain, an area that receives over 540 millimetres of annual precipitation?

MR. SMITH: That is a good question, Mr. Speaker. I think it's probably one that should be asked of the builders, of those who sold

the pine shakes, those who warranted the product, those who implied the performance standard of the pine shake, because those people in those industries are very expert in their knowledge of the building code and of the local conditions. So the question's clearly directed to the private sector.

MR. MacDONALD: Thank you, Mr. Speaker. Is it not Alberta Labour's job and your job to make sure building materials are applied according to the Alberta building code? What went wrong in Stony Plain?

MR. SMITH: Mr. Speaker, we don't see anything having gone wrong in Stony Plain. The answer to the first question clearly is the answer to the second question.

MR. MacDONALD: Thank you, Mr. Speaker. Why did your department fail to properly administer the building code? The precipitation levels are listed in the code for the convenience of the inspectors. What went wrong in Stony Plain?

MR. SMITH: Mr. Speaker, the answer to the first question, again, is the answer to the balance of the questions.

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

#### Provincial Archives

MR. ZWOZDESKY: Thank you, Mr. Speaker. Over the past year or so I've received a number of calls from citizens who are concerned about the possible relocation of the Provincial Archives from Edmonton to Stony Plain. During my discussions and subsequent follow-up research I discovered that the current facility is simply unable to accommodate all the materials that need to be housed and subsequently need to be made available to the public for its use. As the capital city of this great province Edmonton has been an ideal location for these Provincial Archives, and as an Edmontonian, I for one definitely want to see them remain here. My questions are to the hon. Minister of Public Works, Supply and Services. Will the minister please tell Albertans and Edmontonians in particular if the Provincial Archives are in fact moving to Stony Plain? Yes or no, Mr. Minister.

#### Speaker's Ruling Anticipation

THE SPEAKER: Hon. members, if one looks at the Order Paper, one sees that this evening the estimates of the Department of Public Works, Supply and Services are up for review. So let's move on to the hon. Member for Edmonton-Calder, followed by the hon. Member for Lacombe-Stettler.

#### Electric Utilities Deregulation

MR. WHITE: Thank you, Mr. Speaker. My questions today are to the Minister of Energy. They surround electrical deregulation. I don't think anyone has a game plan; we are making up as we go. Now, before you get carried away, these are not my words. These are the words of the chairman of the AEUB, your board, sir, describing the government's plan that created chaos in the electrical deregulation industry. With predictions by industry observers that electricity prices will increase, it now becomes clear why the government has not prepared any price impact studies on electrical deregulation. Will the minister confirm that when -- not if but when -- there is a deficit from the auction of power purchasing

arrangements, the cost will be passed on to Albertans in the way of higher rates?

DR. WEST: No, I won't confirm that.

MR. WHITE: That's odd, Mr. Speaker, because in a November '98 report prepared for his department by PricewaterhouseCoopers and circulated to investors "The deficit in the balancing pool will be transferred to customers through a rate levy." Why the difference between your statement and your report's statement, sir?

DR. WEST: I thought his question said: will the rates go up? There are certain costs that will be put forward through the rate base, but that doesn't mean the rates will be going up.

MR. WHITE: Thank you for the clarification, sir.

Will the minister finally prepare and release a full impact assessment of price increases or decreases, as the case may be, so that all Albertans will be able to understand how this deregulation policy will work for them?

DR. WEST: Well, Mr. Speaker, this individual that keeps bringing these questions and that should do a lot of reading on electrical deregulation and its rates throughout the world. He would understand one thing, that as we go forward into the future, deregulation studies as to how the rates of power will be brought forward to the individual customers are impossible to project. The marketplace will work, and in fact since we've announced deregulation in the last two and a half years, the rates have actually gone down. But, of course, he hasn't observed that.

Now, the rates may go up or they may go down, depending on the next five years. There are certain factors. It could be everything from inflation to the price of the dollar to the price of natural gas to the price of labour negotiations. There could be a whole cross section of reasons why power either goes up or down.

In fact, one of the reasons that it might go down -- might, I'm not saying it will or won't -- is that right now the planned generation additions that are coming onto our base are 2,158. As recently as the other day the deputy minister met with three large independent power producers from outside the province, and they have also indicated that they're looking at 2,000 more megawatts. That's 4,700 new megawatts that could come onto our power base.

In fact, the recent additions are 85 megawatts at Primrose through Amoco, 47 at Poplar Hill, 47 at Rainbow. Dapp at Drayton Valley has 17; that's a biomass one. One point two megawatts at Castle River; that's wind generation. Gold Creek has six megawatts; it's waste heat. If I were to continue here and show that the 4,700 megawatts that have a potential here out of the existing 7,100 megawatts -- that's over a 60 percent increase. I sit here knowing what the marketplace does. When our surplus power gets over 25 percent again, I would suggest that there's going to be a very competitive marketplace, and every time I've ever seen that, the price has gone down.

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

#### Community Lottery Boards

MRS. GORDON: Thank you, Mr. Speaker. During last Wednesday's budget estimate debate it was alleged by the Official Opposition that many groups applying for funding through the community lottery board program were forced to dream up projects in order to

get grants, because the program's policy doesn't allow funding for general operating expenses. It was alleged that this was a particular problem for arts and cultural groups. As chairman of the Community Lottery Program Secretariat I know this is not true. My questions are to the Minister of Community Development. Could the minister clarify for the Assembly the types of projects that did in fact receive grant funding? Were they credible or just dreamt up?

2:30

MRS. McCLELLAN: Mr. Speaker, I can assure you that the projects that were funded through the community lottery boards program last year are very credible and they weren't dreamt up. I would also advise all members of the Assembly that the lists of who those dollars went to throughout the communities in this province are available to everyone. But I will give a couple of examples. The St. Albert Association for People with Disabilities received a grant for nearly \$39,000 to purchase computers and set up a day camp for disabled children. That is probably a dream of that community, and what they were really dreaming about was seeing that dream come true and that camp for disabled children being put in place. So in that way I would say the only dreaming that was done in the community was to see a group assisted.

Mr. Speaker, these are established nonprofit groups. Board members are members of the municipal council and citizens of those communities, and frankly I think it's a great disservice to those volunteers to suggest that they were dreaming up projects to utilize the \$50 million in that program.

MRS. GORDON: Mr. Speaker, can the minister explain to the Assembly why groups are not eligible to apply for funding for ongoing operating costs?

MRS. McCLELLAN: Yes, Mr. Speaker. The program is not designed to carry on ongoing operating expenses for one very good reason. Operating expenses occur year after year. This is an annual grant, and we would not want to put in place money for operations that wouldn't be there the next year. The program wasn't designed to handle operating grants. It was designed to handle projects that were brought forward that were deemed to be worth while by the communities. I would suggest that it would not be in the best interests of the communities or the program to use it as an operating cost.

MRS. GORDON: Mr. Speaker, it's my understanding that there were far more applications than money available. Would the minister please advise the Assembly whether the 88 community lottery boards had any difficulty allocating funds to real and worthy projects in 1998-99.

MRS. McCLELLAN: Mr. Speaker, from the discussions, the indications, and the review that we have initiated over the last year's program, it would appear that there were obviously more grant applications than dollars. However, it also appears from discussions with the lottery board chairs that these dollars did go for some very valuable community programs.

One thing that did distress me a lot, Mr. Speaker, was when I read in a newspaper article over the weekend that some \$53 million went for administration of community lottery programs. I want to correct that in this Assembly and recommend that the reporter have another look at the budget book. In fact, the administrative costs of that program are \$1.8 million for a \$50 million program. By my arithmetic that would be 3.6 percent of the program that is spent in administration, and I would suggest that that is very comparable to what should be spent in administering a program.

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

### Regional Response Improvement Program

DR. NICOL: Thank you, Mr. Speaker. My questions today are to the minister responsible for the regional response improvement program, that's funded by the federal government. Southern Alberta is very dry this year, and a number of prairie fires have reached the size where multiple responses are required to effectively control them. Many times the responding units are from different municipalities. Since the 1995 flood the region has been reviewing their disaster co-ordination with the help of Alberta Environment. They've determined that an effective common communication network is their priority, so they applied for assistance under the federal RRIP. My questions are to the minister responsible for the regional response improvement program. Why was the project requested by 24 municipalities representing the safety of 150,000 southwestern Albertans denied?

MR. PASZKOWSKI: Mr. Speaker, the program is a very worthwhile program and has a lot of merit. Unfortunately, at the time, the money was basically spent, so there wasn't additional revenue to meet the needs of that particular program. We certainly encourage the coming together of municipalities and would encourage them to continue to press for that particular program, but as of this year there just wasn't any money left to provide for that particular program.

DR. NICOL: Thank you, Mr. Speaker. So that the people of southwestern Alberta can see what other projects were funded, would the minister table in the Legislature the list of projects that were funded under that program?

MR. PASZKOWSKI: I'd be more than pleased to table the projects that are funded.

DR. NICOL: Mr. Speaker, if the minister can remember the application, was there any specific criterion that wasn't fully met by this application so that they can make sure they fully explain all the conditions and the need for this project in the next year?

MR. PASZKOWSKI: Mr. Speaker, there are limited resources under the program, and that's the unfortunate element of this. There are only so many dollars in the pot, and under these particular circumstances the money was allocated to other projects. Certainly this is a worthwhile project and one that we would encourage to be presented. As far as criteria are concerned, it met the general criteria of the program, but there simply were only so many dollars. The dollars were expended, and there wasn't sufficient funding to carry through with that particular program.

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

### Education Funding

(continued)

MR. STEVENS: Thanks, Mr. Speaker. A school council in my constituency in Calgary has raised a number of concerns that seem to be common to many schools in the Calgary public system. These concerns range from class size to parent fund-raising to teacher moral, but they all have in common one theme: the amount of funding going to support public education in Calgary. My question is to the Minister of Education. Will the new investment in education resolve the issues facing Calgary public schools?

MR. MAR: Well, absolutely, Mr. Speaker. I expect that the \$600 million that we are adding to our base budget for the Department of Education will have a very positive effect on public education. To be clear, this is not \$600 million in onetime spending but adding to the base budget so that it will go from \$3.14 billion to \$3.74 billion.

Mr. Speaker, this is a significant and substantial amount of money. It's \$1 on top of every five that we currently spend. This investment will include increases to the basic instructional grant of 3 percent this coming year, 2 percent following that, and another 2 percent in the year following that.

Mr. Speaker, the Premier outlined some of the areas that basic instructional dollars go to. It includes teachers' salaries. It includes textbooks, supports for students with special needs. I just want to say that we only provide those funds. It's incumbent upon school boards, including the Calgary board of education, to make the final decisions on how to use the money within their jurisdiction. That's why we elect them.

Mr. Speaker, on top of that there's money available for the school performance incentive program that will provide even more dollars to those school boards that are able to demonstrate a measurably positive result in improving student learning. Finally, in addition to all of the other areas that we're investing in, I think it's significant to note the student health initiative, which will better co-ordinate the needs of students who have health needs. That amount is \$25.6 million a year.

MR. STEVENS: Mr. Speaker, my constituent also mentioned the heavy burden parents carry through school fees and fund-raising and that these parent-raised funds are for essentials like textbooks and computer wiring. As such, my next question to the same minister is: will the new funding levels for education mean parents will no longer have to pay for basic educational supplies?

MR. MAR: Well, Mr. Speaker, parents should never be fund-raising for basics like textbooks at any time. The basic instructional grant does include spending for learning resources such as textbooks. On top of the basic instructional grant there is also a credit in the amount of \$9.30 per student that will offset the cost of a new textbook by up to 25 percent. Those texts are provided through the Learning Resources Distribution Centre.

Mr. Speaker, if parents are being asked to raise money for things like textbooks, they may wish to ask and hold accountable their local trustees for how that school board or how their schools are allocating money. The School Act does authorize school boards to charge fees for instructional supplies and materials such as textbook rentals and transportation. These fees vary across the province because they are ultimately local school board decisions.

Finally, Mr. Speaker, an MLA task team is conducting a review of the funding framework. That team is looking at provincewide equity issues to see if funds are being allocated in a manner that is fair and equitable to all students. I look forward to receiving that report and the recommendations therefrom later on this spring.

2:40

MR. STEVENS: Mr. Speaker, the constituent who raised these concerns is a member of a school council and wants to see this government actively solicit legitimate perspectives from school councils. As such, my final question to the same minister is: what is he doing to consult with school councils?

MR. MAR: Well, Mr. Speaker, I heartily endorse and strongly believe in the partnership and the leadership roles that school councils play in education in the province. Certainly in the hundreds

of school visits that I've made in the last three years, I've listened carefully to the ideas and the suggestions of many stakeholder groups, including school councils.

Mr. Speaker, as members of the House will know, there is currently a review going on of the role of school councils. That review will be another opportunity for parents and schools and other stakeholders to provide their feedback on how well school councils are doing and also to look at ideas for improvement of school councils. The MLA working group will be scheduling public meetings later on this spring. I'll be interested in listening to what comments are made with respect to school councils by the end of the school year.

### Recognitions

THE SPEAKER: Hon. members, in 30 seconds from now I'll call on the first of six members today who will be participating in Recognitions.

#### Association of Municipal Districts and Counties

MRS. GORDON: Mr. Speaker, the mission of the Alberta Association of Municipal Districts and Counties is "to assist rural municipalities in their endeavours to achieve strong and effective local government." Starting today and continuing through till Wednesday, this grassroots organization is holding its annual spring convention in Edmonton. Six hundred and fifty delegates from across Alberta are here to deliberate several pertinent issues. Roads, provincial funding, agriculture, and farm assessment are just some of the topics that will be discussed.

I would like to congratulate their president, Jack Hayden, his board, and the membership for all of their past hard work and wish them a successful convention as they focus their energies on improving the quality of life in meeting the needs of all rural Albertans. We look forward to hearing from them.

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

#### World Theatre Day

MS BLAKEMAN: Thank you, Mr. Speaker. March 27, yesterday, was World Theatre Day, an event celebrated in over 90 countries, so today I'd like to recognize and celebrate Alberta's theatres.

From Alberta Theatre Projects to Workshop West Theatre we have a wealth of theatre excellence in Alberta. From multimillion dollar budgets to companies working with under a thousand dollars, they tell our stories and lead us into other worlds. So to ATP, Azimuth, Catalyst, the Citadel, CAT in Red Deer, Concrete, Free Will players, Fringe Theatre Adventures, Great West Theatre in Fort Macleod, Horizon, Keyano in Fort McMurray, Leave It To Jane, Loose Moose, Lunchbox, L'Unithéâtre, Northern Light, One Yellow Rabbit, Pleiades, Prime Stock, Pumphouse, Quest, Rapid Fire, Rosebud, Shadow, Stage Polaris, Studio Theatre, Teatro la Quindicina, Theatre Calgary, Theatre Network, Trickster, Workshop West, and all the others who create, develop, entertain, and bring us that shared experience. Thank you for your inspiration, the value and vitality you bring to our communities. Please join me in cherishing Alberta's theatre community, and get out and see a play.

Thank you very much.

THE SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan, followed by the hon. Member for Calgary-*Buffalo*.

### CIAU Hockey Championship

MR. LOUGHEED: Thank you, Mr. Speaker. I'm pleased to rise today to recognize the University of Alberta Golden Bears hockey team, who won their ninth national title in the CIAU gold medal game yesterday. The team won with a convincing 6 to 2 victory over the Moncton Blue Eagles. I'd also like to recognize the tournament's most valuable player, Cam Danyluk, a constituent of Clover Bar-Fort Saskatchewan, who netted a hat trick in the championship game to seal the victory for the University of Alberta. This was Cam's fifth and final season with the University of Alberta, and he certainly finished his eligibility with the Bears in style.

This national championship, combined with the silver medal earned by the Pandas women's hockey team, continues what has been a very exciting and successful year of CIAU sports for the U of A. I encourage all members of this Assembly to congratulate the Bears on their victory and on bringing back the University Cup to the University of Alberta.

Thank you.

THE SPEAKER: The hon. Member for Calgary-Buffalo, followed by the hon. Member for Bonnyville-Cold Lake.

### Young Authors Celebrate '99 Conference

MR. DICKSON: Thanks, Mr. Speaker. I wish to recognize this afternoon everyone responsible for the Young Authors Celebrate '99 conference held on March 27 at Bishop Grandin high school in southwest Calgary. This terrific event, organized by chairperson Shona Brodeur and Mary-Kate Wasch, was designed to promote the importance of authorship to more than 200 Calgary Catholic student authors from elementary school throughout the Calgary Catholic system.

The program included presentations from guest authors Bill Brownridge and Irene Morck, a drama presentation by Linda Shantz-Keresztes, and an adult volunteer workshop by Donna Steffes. Thanks to the organizing committee that included Joelle Crosby, Janet Fedorchuk, Mary-Jo MacDonald, Pam Scheuerman, Shelley Shields, Liz Shier, Maureen Tobin-Hurl, and Kara Vanetti. What a wonderful way to celebrate and nurture the creative talents of these young authors.

Thank you.

### Canadian Forces 4 Wing, Cold Lake

MR. DUCHARME: Mr. Speaker, on behalf of all the residents of the Bonnyville-Cold Lake constituency I wish to recognize the role of 4 Wing, Cold Lake personnel in the NATO peace efforts in Yugoslavia. As your friends and neighbours it is always a solemn occasion when 4 Wing personnel are deployed into armed action. We are all very grateful for your courage and commitment towards peace and freedom, be it at home or throughout the world. Your tactical fighter jet skills, whether as a pilot or ground crew specialist, are recognized as being amongst the best in the world. These skills and team efforts will definitely play a major role in this NATO peace mission.

To all the family members of the deployed and soon to be deployed personnel, the citizens of Bonnyville-Cold Lake, along with all Canadians, are very respectful of and grateful to your spouses, mothers, fathers, daughters, sons, brothers, and sisters for the peacekeeping roles they will execute on our behalf.

We wish them all Godspeed in the mission and await their safe return. May our prayers and best wishes for your safety and success guide you in this very important mission, peace and freedom for all.

### Mill Woods Pentecostal Assembly

MR. WICKMAN: Mr. Speaker, this afternoon I want to recognize the Mill Woods Pentecostal Assembly located at 23rd Avenue and 66th Street. This year for the first time they held their Easter production, called "Have You Heard?", in their brand-new, beautiful facility, which seats 1,500 people. Their Easter production involves hundreds of volunteers, including children. They start in January, and it all comes together under the direction of the minister of music, Bernie Stein. It's a fantastic production. It runs for four nights, March 27 to the 30, two more nights if any of you have the opportunity to go.

A special recognition to the senior pastor, Gary Taitinger, again to the music minister, Bernie Stein, and to the hundreds of volunteers who put this fantastic production together.

Thank you.

head: Motions under Standing Order 40

THE SPEAKER: The hon. leader of the ND opposition on a Standing Order 40 application.

### Health Legislation Review

Ms Barrett:

Be it resolved that the Legislative Assembly urge the government to make public today the complete, unedited report and recommendations of the Bill 37 review panel.

MS BARRETT: Thank you, Mr. Speaker. I believe all members have copies on their desks now. As I mentioned during providing oral notice, I'm going to make an argument for adjourning the ordinary business to deal with this motion of urgent and pressing necessity.

One of the arguments I refer to in terms of the urgency relates to a bill, the Medicare Protection Act, which has 22 minutes left on it scheduled for debate for tomorrow. One of the critical components of this bill seems to conform with what we are told the Bill 37 review panel says, and that is: no overnight stays in private, for-profit health facilities. That, of course, would conform with my bill, and as you know, Mr. Speaker, my bill is being considered not as the bill itself tomorrow but in fact under amendment, which would have the effect of killing the bill, not even resuscitating it after the suggestion of the amendment is fulfilled, the amendment being a reasoned one which says: do not read this bill a second time because we haven't seen the final report of the health summit.

2:50

Well, I would argue that in fact the Bill 37 review panel is much more critical to our assessing this bill, my bill, the Medicare Protection Act, and whether or not we vote on it rather than the health summit.

The other element of urgency is that the government has been sitting on this report for a week. I've argued before that it's been paid for by the taxpayers, and it's certainly true. This blue-ribbon panel took longer than was originally scheduled to conclude its analysis and make its report, but the fact remains that this has been a burning public issue for more than a year. I remember when the Government House Leader in January of 1998 released his summary list of the bills that would be coming before the Legislature last spring. When I saw -- I think it was item 3 -- a one- or two-sentence description of a health care bill, I said aha; that's the HRG legalization act. I knew it right then and there. Sure enough, six weeks later, after they'd actually released it, when I had a copy of it, the government went ahead and did introduce it. That's what the controversy was about.

This is not a new issue. It's been waiting and waiting and waiting for a year. How much longer do Albertans have to wait to find out what the report says about Bill 37 and whether or not as reported, as leaked it does uphold the principle that I've been arguing for years: that private, for-private hospitals should not exist, period, and should be strictly prohibited by way of legislation?

I'd like to hear the government's response as to why my motion now should not proceed, given that the government itself has had this report for a week and that Albertans made it profoundly clear at the health care summit -- and I attended more than half of those workshops -- that they do not want any more private, for-profit health care service delivery at all. In fact, many of them abhor the level that we have right now, and I'm one of those people.

So I look forward to the government telling the people of Alberta why they can't have a report that they paid for.

THE SPEAKER: Well, as the hon. member knows, under Standing Order 40 it is not the government that will make the decision; it's the members of the Assembly that will make the decision. Under Standing Order 40 it's very clear that the mover is invited to provide a brief overview as to the urgency of a particular question. I will now call the question.

Might we have unanimous consent to proceed with the motion as proposed by the hon. leader of the ND opposition? All those in favour, please say yes.

SOME HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

THE SPEAKER: The motion is defeated.

head: Orders of the Day

head: Government Bills and Orders

head: Second Reading

**Bill 17**  
**Quality Assurance Activity Statutes**  
**Amendment Act, 1999**

[Adjourned debate March 22: Mrs. Sloan]

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

MS LEIBOVICI: Thank you, Mr. Speaker. I rise today to speak to Bill 17. In fact, I guess I wasn't quick enough to rise to speak to the Standing Order 40 as well, but . . .

**Speaker's Ruling**  
**Standing Order 40 Motions**

THE SPEAKER: No. Hon. member, sit down. The hon. member should read the Standing Orders. There is no provision allocated for any member other than who moves a Standing Order 40. Never has been; never will be. It's very clear. We've been through this time and time again. No hon. member in this Assembly is any longer a rookie. You've all been here more than two years.

So if the hon. Member for Edmonton-Meadowlark wants to proceed and participate in the debate on second reading of Bill 17, you're now recognized.

MS LEIBOVICI: Thank you, Mr. Speaker, and I apologize if I spoke out of turn there.

**Debate Continued**

MS LEIBOVICI: I rise to speak to second reading of Bill 17, the Quality Assurance Activity Statutes Amendment Act, that has been put forward within this Legislative Assembly. What our understanding is of this particular bill is that it exempts medical quality assurance activities from freedom of information and, as well, prevents the records of quality assurance activities from becoming part of a plaintiff's case in a medical malpractice action. Partially it's due to the activities of the Member for Calgary-Buffalo, it's my understanding, that this amendment has come forward in its current form to deal with some of the issues that have been talked about in the past and worried about with regards to whether or not the committees that have been formed in the past to deal with looking at actions of medical staff can in fact be investigated.

It was felt that under the previous legislation there might be some issue as to the providing of evidence and whether or not individuals who provided that evidence would in fact be free of potential litigation. So it's my understanding that that is why we have this amendment act in front of us this afternoon. On the basis of it, the principle appears to be sound in that it will, as I indicated, assure an environment where health care professionals can be candid in investigating and in explaining and exploring activities that have occurred within their particular setting. I'm sure that we can all agree that where people's lives and health are at risk, it is important that there be that environment of openness and transparency to ensure that any factors that might occur in the performance of someone's duties could in fact be corrected in the best and the quickest way possible.

There are some questions that I have as well with regards to this bill, and I'm looking forward to the debate on it to determine what the expanded scope of this bill is. When I compare the current Alberta Evidence Act with the amendment, there seems to be an expansion of the abilities and a change in the definition of what a quality assurance committee is, and I'd like a little bit of explanation around that. I guess one of the concerns I have, Mr. Speaker, is that we hear over and over again that this is housekeeping and that this is a good bill that the government brings forward. Yet over and over again we have examples -- and Bill 7 is the most recent example -- where in fact the bill is anything but that, and though it may try to address a particular issue, it might in fact end up doing exactly the opposite and might in fact end up creating new problems that were not foreseen. So I would like to have that assurance from the mover of the bill that all the ramifications have in fact been looked at, that all the ifs, ands, or buts have been checked to ensure that we do not run across the same type of situation that we had most recently with Bill 7.

Bill 20, the education act, seems to be another bill where we are going to run into some difficulties, where in fact a consultation has not occurred with the groups that would be most affected. Unless I've missed it somewhere, I would also appreciate a listing of those groups that have in fact been consulted with regards to this particular bill to ensure that we have covered all the bases. Again, so often we see where the intent might be good -- and I would not want to comment that the intent would be anything but, Mr. Speaker -- but the actual bill, when it reaches us in the Legislative Assembly, does not match what the original intent was.

So I'm looking forward to the debate around this particular bill. You know, there are questions about whether nursing homes should be included or not. We see the examples of where private institutions are being contracted with the public facilities, the RHAs, and I wonder if in fact those would then be considered as part and parcel or addressed within the parameters of the bill. I see that the operator

of a nursing home is -- there may be an order of the Minister of Health and designations made by the Minister of Health with regards to this as well, and again I'd like to know what the parameters are.

So with those brief comments, Mr. Speaker, I look forward to the discussion around this bill. I look forward to more information, particularly with regards to who in fact has been contacted, what their comments were, as well as an understanding and an assurance that the particular problem that was at hand is being addressed and that no other problem is being addressed through this particular piece of legislation.

Thank you.

3:00

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

MRS. SOETAERT: Thank you very much, Mr. Speaker. I would just like to make a few comments about Bill 17, the Quality Assurance Activity Statutes Amendments Act. It's really not a huge piece of legislation but I think is something that's been of concern to some people in the medical field that needed to be addressed. My concern is that it may go a bit too far, and we may have a couple of amendments during Committee of the Whole.

As I understand this, if there were an incident in a hospital and then an investigation occurred, people could be sitting on that committee looking into the investigation and in a way could end up being in a situation where they are in judgment of their colleagues. That's a bit unfair. I mean, it's necessary that it be there, but if it were to be then put under the Freedom of Information and Protection of Privacy Act and go from there, that may put some people in a bit of jeopardy. So that is why this bill has come forward, and in that it is good. We have to make sure that it doesn't go too far.

As I see it, it defines what a quality assurance committee is, which makes it a little more flexible in how people can relate to the health care system in Alberta. It refers to the RHAs, the Alberta Cancer Board, the Provincial Mental Health Advisory Board, to a hospital board, to an operator of a nursing home, to a committee established by statute, and to a board designated by ministerial order. As a result, the number of bodies which are protected from disclosing their records is quite huge, actually, and at the same time the bodies granted protection fulfill the same functional role as the committees set forth under previous legislation. When there's a disciplinary or an investigative activity of the College of Physicians and Surgeons and other professional regulatory bodies, they do not fall within the definition of quality assurance committees.

The present legislation doesn't define a quality assurance record. The new definition seems to be all-encompassing, and I suppose it's designed to cover computer and paper records.

This new legislation will prevent a witness from being asked or from answering a question about the activities and work product of a quality assurance committee. So a committee that is asked to investigate an incident in one of these facilities or under one of these jurisdictions will be protected from being a witness under the Freedom of Information and Protection of Privacy Act.

I see this as a bill, for the most part, that has been requested. In fact, doctors I believe spoke to the Minister of Health in the fall of '98 saying that this had to be addressed promptly, and here we are.

MR. DICKSON: That would be spring and summer.

MRS. SOETAERT: Spring and summer of '98. So here we are a year later responding ever so quickly. However, we are responding, and we'll take it from there. For the Minister of Health, maybe

that's his definition of speedy, and so be it. I guess it takes him awhile to get from here home to Ponoka. But speedy it is, I guess, in regards to this government's definition of speedy legislation.

However, they were asking for it, nothing was done, and finally it is here at the table. I think this side of the House has spoken to the minister about some amendments coming forward. If they haven't, I'm sure they will, because we're always here to make legislation better, and we do that so well.

The minister is choking. Oh, well. I'm sure it's just a little cough.

I do look forward to being part of speaking at committee to some of the amendments. You know, on the one hand, you have a principle that says that it's important that physicians and health care professionals not be discouraged and, in fact, be encouraged to come forward if there's a death in a hospital or a strange situation. It's really important that we find out quickly what happened. On the other hand, does the public have a vested interest in knowing what's happened? So if there's a public right to know. I think if there's a serious problem going on in hospitals, then Albertans of course deserve to know that too. I see this bill as trying to find the balance between those two interests.

I appreciate that this is forward. I appreciate both sides. A bit of a dilemma working it out so that it is in the public's interest but also doesn't jeopardize employees. So from this committee it won't be as FOIPable, if that's a word. I think in this Legislature we've created a whole vocabulary around FOIPing and things being FOIPed and FOIPable documents. Someday when we all retire from this job, we'll have a new vocabulary of things that were allowed to be said in this Legislature and were not. However, I'd like to just, you know, on a Monday start the debate with a little bit of brevity.

So, Mr. Speaker, I do appreciate . . .

MRS. SLOAN: Levity.

MRS. SOETAERT: Levity and brevity. Well, no, brevity is not my strength, but levity is.

I do appreciate the opportunity to speak to this bill. I won't take the full 20 minutes I am allotted, but I'm getting close. With those few brief comments, thank you very much, Mr. Speaker.

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

3:10

MR. BONNER: Thank you very much, Mr. Speaker. I look forward this afternoon to speaking to Bill 17, the Quality Assurance Activity Statutes Amendment Act, 1999. As other members have already pointed out, this is a piece of legislation that has been requested; it is a piece of legislation that is welcomed. It's also a piece of legislation that I think I could be in favour of, with the odd amendment.

Now, there is good rationale for this piece of legislation, Mr. Speaker. It is important that quality assurance activities in hospitals can proceed in an environment where health care professionals can be candid in determining what went wrong. This certainly satisfies something that is presently missing, in that the public does have a right to know, yet if we are going to have our health care professionals testify or provide evidence at any sort of a hearing, then of course what they say must also be protected. This is particularly true in a case where we do have severe situations where people's lives and health are at risk. It's imperative that we create an environment favourable to correcting any factor which may injure or contribute to mortality.

What we are asking for and what this bill will allow is the open and transparent investigation of these very serious situations and will

allow the medical profession and those health caregivers the opportunity to investigate these situations, to be able to put all their cards on the table and still have the protection they require in these particular situations. We certainly want this, because I don't think there's any type of investigation better than that which is conducted by and which includes one's peers.

What this bill will do is protect information collected in the course of quality assurance activities in medical facilities from being used in a medical malpractice suit. How this bill will achieve this is through an amendment to the Alberta Evidence Act. That act applies in civil proceedings, fatality inquiries, and in the prosecution of provincial offences. What this bill will do, Mr. Speaker, is define a quality assurance committee in terms which are more flexible and which relate to how the health care system in Alberta operates today. The bill refers to regional health authorities, the Alberta Cancer Board, the Provincial Mental Health Advisory Board, a hospital board, to the operator of a nursing home, to a committee established by statute, and to a board designated by ministerial order.

As was indicated by the hon. Member for Spruce Grove-Sturgeon-St. Albert, this was required by the doctors themselves, and it will fill a void in the present legislation. When we look at the disciplinary and investigative activities of the College of Physicians and Surgeons and other professional regulatory bodies that do not fall within the definition of a quality assurance committee, this legislation will certainly fill that void. Under present legislation witnesses do not have to answer questions about the activities or work product of a quality assurance committee.

So this is a much needed bill in our legislation, and it will do the two things the present legislation does not do. What it will do, then, is give the public the right to know, and at the same time it will protect those health care professionals and clarify what is FOIPable from their testimonials.

With those few comments, Mr. Speaker, I would like to close my discussion at this time on Bill 17. Thank you.

THE SPEAKER: The hon. Member for Red Deer-South to close the debate.

MR. DOERKSEN: Thank you, Mr. Speaker. I've noted the comments of the members opposite and appreciate their thoughts. Clearly this bill is an expansion of the protection to health care providers other than physicians, and it's with respect to health care quality assurance activities. I look forward to further debate in committee.

[Motion carried; Bill 17 read a second time]

### **Bill 20 School Amendment Act, 1999**

THE SPEAKER: The hon. Minister of Education.

MR. MAR: Thank you, Mr. Speaker. It's my pleasure to move second reading of Bill 20, the School Amendment Act, 1999. Some parts of this act have generated considerable discussion both inside and outside of this Assembly, and I welcome this chance to clarify the policies and principles that these amendments support and to provide this Assembly with the facts.

The policies contained in the legislation can be summarized easily as protection, fairness, respect, and operational efficiency that respects the other principles of fairness and protection. Arguably, the first purpose of any piece of legislation is to provide protection, and Bill 20 is no different. The people it seeks to protect are the

students of this province and the dedicated people who work to meet their learning needs.

Mr. Speaker, I want to begin by looking at protection for our students because that is our first priority. Bill 20 contains an amendment that makes school boards responsible for ensuring that our students have a safe and caring school environment in which to learn. If children feel safe, they grow up confident. If they are taught to care and share, they will become contributors to society. This commitment to the principles of Safe and Caring Schools is not a new one. Most schools and boards already have policies in place to ensure such an environment. What is new is formalizing that commitment in the School Act to provide full protection for our students under law as well as policy. Shortly I will be releasing a major resource manual that will help support safe, secure, and caring schools.

Part of ensuring a safe and caring environment is promoting respect for others. The Alberta curriculum already requires schools to actively promote respect for diversity and respect and understanding for others. Like Safe and Caring Schools, we are now making this a legal requirement under the School Act. This amendment started out as a recommendation in the Private Schools Funding Task Force report, but the issue of respect for diversity and for others must apply to all schools so that every student is prepared for responsible citizenship in our diverse society. I want to stress that I'm not aware of any school in Alberta that advocates ethnic or religious intolerance. We simply want to ensure that this will be the case always.

I mentioned preparing our students for responsible citizenship. That has to include helping our students understand the world they live in. It has been said that people are the products of their experiences. Well, so are nations, and so are societies. Our societal context today is the outcome of our history as a country and as a world. Students need to learn that history. They need to learn the why and the how behind historical events such as the American Revolution, the French Revolution, the Russian Revolution, and the Riel Rebellion right here in Canada. They need to know why India adopted Gandhi's philosophy of nonviolent civil disobedience to achieve its independence and why Martin Luther King Jr. was so effective in starting the process of desegregation in the United States.

Of course, not every breaking of law leads to a happy ending. Germany felt it had good reason to break the Treaty of Versailles, and the result was the Second World War. That does not diminish the value of the lesson. I want to assure hon. members that this amendment in no way changes the social studies curriculum, nor does it affect a school's teaching methods or adherence to a particular religion or moral code.

It is one thing to learn the lessons of violent revolution; it is another to promote this to our children as an appropriate behaviour here and now. The whole point is to learn from history so that we are not forced to repeat it. We recognize that as we continue to evolve as a province and as a country, there will be a continuing need for change. We believe that in Alberta there are peaceful and lawful ways to effect that change. Let's teach our children world history and current events to show how changes occur.

3:20

There's another protection that I want to see in law, that already exists as a matter of policy, and that is that students in Alberta are guaranteed access to an educational program. Ensuring a safe and caring school environment sometimes means curbing unacceptable student behaviour. Suspension and expulsion can be effective in protecting the school environment and in helping a student learn from his or her mistakes. The principles of fairness, equity, and protection in this case are understood, but they need to be ensured.

Consistent rules need to apply to all schools and all students within a jurisdiction. Any effort to suspend or expel a student must comply with the principles of fundamental justice, and any student expelled for just cause must retain access to an alternative education program. Is this being too accommodating of students whose behaviour is unacceptable? I do not believe so, Mr. Speaker. Suspension and expulsion have the greatest value when the student continues to have an opportunity to learn. If a student has lost the privilege of attending a school, that student must then have access to an alternative education program.

The principles of fairness and access to an education apply to another area of change in Bill 20. Some young people in our education system are classified as resident students of the government. They may be students with non-Indian status living on reserve lands or students in a young offender centre. This government has a policy of educational choice, and we've opened up jurisdiction boundaries to accommodate that choice. In fairness we are deleting the requirement that a resident student of the government live in the district or division in which that student is enrolled so that that student may also exercise choice in education.

Mr. Speaker, Bill 20 also proposes that school boards be allowed to enter into agreements to exchange limited personal information of their students with other school boards and not-for-profit organizations like provincial sports associations such as the Alberta Schools' Athletic Association. This will allow boards to share the names and ages of students competing in provincial sporting events, going on extended field trips, or to support other extracurricular activities. Any agreements the boards enter into will identify how the information is to be collected, used, and disclosed to ensure that the privacy of the students is fully protected.

Mr. Speaker, Bill 20 removes the need for the Minister of Education to prescribe the amount and form of insurance for boards. The fact is that school boards already carry more insurance than is required under regulation.

Mr. Speaker, this brings me to what is perhaps the most misunderstood amendment to Bill 20. Alberta has clear and fair legislation to protect every Albertan from unfair actions by their employers. That legislation is called the Alberta Labour Relations Code. Among the protections the Labour Relations Code offers is an arbitration process to settle disputes between employees and employers, including disputes over suspensions and terminations of employment. In addition, some teachers in Alberta have a grievance procedure in their collective agreements that provides further protection from unfair actions on the part of their school boards. Almost every other province in this country and both territories rely on labour relations legislation or teachers' collective agreements as avenues of appeal for teachers who feel they have been unfairly suspended or fired. In Alberta teachers have historically relied on an appeal to a Board of Reference to settle such disputes.

[Mrs. Gordon in the chair]

When the Board of Reference was first established in 1927, we lacked the progressive labour laws that we now enjoy in this province. Now, Mr. Speaker, the time has come to replace the Board of Reference with the arbitration process under the Labour Relations Code. This takes no protection away from teachers. It simply gives teachers the same protection that every other Albertan already enjoys. I want to treat teachers in the same way.

Mr. Speaker, the other amendments in Bill 20 are geared to ensure the efficient, effective, and fair administration of education. We are asking boards to report hours of instruction for the coming school year and to provide that information by grade and school. We are

giving boards a one-month extension of their three-year plans and budget report forms. These will be due May 31 instead of April 30.

We are correcting an omission from 1988 when the School Buildings Act was moved to the School Act by adding "the building of access roads or site preparation" to the definition of "school building project." This has no material change on funding. The costs of preparing the building site and building access roads have always been included in a school building project.

Rural bus transportation distances will be measured to the resident's roadway access instead of the boundary of the quarter section.

Official trustees or members of a ministerial review will have the same protection from personal liability as members of special-needs tribunals or the Attendance Board. However, official trustees and members of ministerial reviews are still expected to perform to the best of their abilities to make decisions in the best interests of Albertans.

Mr. Speaker, in conclusion, as hon. members can see, Bill 20 is a fair piece of legislation that continues to protect both students and their teachers from unfair practices. The government and Alberta's education system are committed to the principles of protection, fairness, respect, and operational efficiency that characterize our approach to providing public service to the people of this province.

Thank you, Mr. Speaker.

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

DR. MASSEY: Thank you, Madam Speaker. I'd like to respond to some of the comments that the minister has made about Bill 20 and to raise objections to two of the parts that have no doubt been brought to the minister's attention. One deals with, under section 3, the prescription of what may or may not be taught. "Doctrines" I think is the word used in the legislation. The second is the provisions for the deletion of the Board of Reference.

With both of these sections there has been fairly quick and certain outcry from some of the individuals that are going to be affected by the legislation. My question, I guess, overall is: why were the interested groups not consulted? It seems like such a basic thing to conduct when you're going to make a major change in legislation, particularly with the provisions of the Board of Reference, to delete them. The question has to be: why were the interested groups, the trustees association, and the Teachers' Association not consulted? I guess I would at this late date still plead with the Minister of Education to take the opportunity to contact those groups and to adjust the legislation in light of the suggestions and revisions that they may suggest.

The Board of Reference has been in existence for 70 some odd years. As I heard the minister speak about the need to take it out of the legislation and to replace it with provisions of the Labour Relations Code, I again have to ask why. I've heard him speak on I think at least two occasions on this particular provision. Last week he seemed to indicate that we had to get rid of it because there was a Board of Reference in only two other provinces. Everyone else is doing it, so we had to do it. That doesn't seem to be adequate, particularly when the Board of Reference seemingly has worked well, and I say "seemingly," not having heard from all of the groups involved. The government itself as recently as 1995 was involved in making adjustments to the Board of Reference in terms of membership and fees. So why was this particular amendment sprung now on the interested parties? It really does deserve a better answer than I think we've heard to date. "Everyone else is doing it" isn't an answer.

3:30

To look at the implications of changing to the Labour Relations Code -- one of the things that I think we are fairly proud of in this province is the contracts that have been negotiated between local boards of education and the Alberta Teachers' Association. If you look at those contracts -- and many of us have worked to try to make this the case -- most of them are very, very slim. They're small documents when you compare them to documents elsewhere in the country. If you look at the contracts from Quebec, they are mighty tomes, and they detail a tremendous amount of the action that is to take place between school boards and their employees. Again, if you analyze those contracts, a great deal of the substance of those contracts is devoted to labour and the kinds of provisions we find under the Labour Relations Code. It just seems that this is the wrong road to go down when things seem -- and again I say seem -- to have been working well. I think someone else said that if it ain't broke, don't fix it. If it's working well and the provisions are working for those people involved, then let's leave it alone. So a concern is the impact or the effect of the changes on teacher contracts.

A subsidiary concern is that a number of those contracts have just recently been signed and extend for two years into the future. So what kinds of problems does springing this change on those boards and employee groups present at this particular time in terms of those contracts? Again, the provisions of the Labour Relations Code seem to be much more complex than what we have in place. One of the things about the Board of Reference is that it took action fairly quickly; disputes were resolved and decisions made. I think that's something that by moving to the labour act is in jeopardy and could be lost.

Most people seem to be at a loss as to why this particular amendment, this provision, has been introduced at this time. They're maybe even more at a loss as to why the government didn't take the opportunity of consulting with the interested groups. This is a government that talks of partners and, particularly in education, talks about school boards and the Teachers' Association and teachers being partners of the government. Again -- and we'd mentioned it on several other occasions -- the partnership seems to be called upon only when it's convenient for the government, and I don't think that's good enough, particularly when you have a provision such as this being deleted from the act and the provisions of the Labour Relations Code being substituted.

The other change -- and I'd like to spend a few minutes on it -- is section 3. I'd like to read the changes that are listed there. The topic is "Diversity in shared values," and it goes on:

2.01(1) All education programs offered and instructional materials used in schools must reflect the diverse nature and heritage of society in Alberta, promote understanding and respect for others and honour and respect the common values and beliefs of Albertans.

(2) For greater certainty, education programs and instructional materials referred to in subsection (1) must not promote or foster doctrines of racial or ethnic superiority or persecution, religious intolerance or persecution, social change through violent action or disobedience of laws.

Again, it's a curious provision to be passed and placed into the School Act. First, it's my understanding that every school board in the province -- and I think that's true -- is required to have a policy on controversial issues. That policy has been worked out with teachers and parents in the local school districts to reflect the values of the community and to ensure that the programs that students are involved in don't put them in conflict with community values, yet will allow teachers and program designers to put forward a sound social studies or issues-directed program or a literature

program that allows youngsters to explore the wide diversity in topics that controversial issues sometimes entail. So as I said, all boards have in place a policy on controversial issues. Hence why this particular change to the act?

I listened as the minister spoke, and after he concluded, I'm still not clear exactly why this has come about. I think that the drafters of the legislation were -- I guess the word to use would be "sloppy." I think it's unclear what you're doing, if you are going to foster civil disobedience. Just by teaching about civil disobedience, are you fostering it? I think it's a question that people who read this and try to interpret this in terms of school programs are going to be asked to face. Putting this kind of provision in the act I think sends a chill through the program planners and teachers that is unnecessary and could have been avoided, first of all, if there had been clarity in the drafting, if it were abundantly clear what was intended.

If you look particularly at the last section: "disobedience of laws". In our province we have all kinds of examples: the gun registration laws that have been enacted. There is all kinds of discussion and dissent, and a great number of Albertans who refuse to obey that law. Now, does that mean that discussion of that issue is off-limits in school and cannot be talked about in classrooms because it is an issue of disobedience? By teaching about it, are we fostering disobedience of laws?

Most civil disobedience is undertaken with claims of appealing to higher principles than the law that they are setting aside, and most civil disobedience is undertaken by those involved with the full knowledge that they are subject to the law and that by disobeying, they may be penalized or in some way have to face the provisions of a particular law, and that includes the punishment for that law-breaking.

I think you have to look at the principles, the characteristics of civil disobedience or disobedience of law. Often it's to protest public policy, a public policy that someone doesn't agree with. It's undertaken often because of personal integrity, beliefs that an individual has that the public policy may be unjust or wrong. For most it's a deliberate, conscientious action, something undertaken with some thought. It's not undertaken casually. It's a reasoned act, and it's usually undertaken after other forms of dissent have not worked. Often it expresses a moral judgment that has been arrived at after serious reflection, and it's usually in consonant with the moral character of the actor. It's usually open, usually public, and most often civil disobedience is nonviolent. I think it's important that the characteristics of civil disobedience be kept in mind as we look at provisions like this that would, as the act now reads, not allow examination that could be interpreted as fostering disobedience of laws.

3:40

If you look at history from a historical perspective, civil disobedience in history can take you a long way. It has a long, long history. In the book of Exodus, the pharaoh ordered the Hebrew midwives to kill all newborn males, and the midwives, appealing to a higher duty, refused, giving us one of the earliest known forms of civil disobedience. Civil disobedience provides the content and core for ancient philosophy and literature and long political history. You don't have to go far to find examples that have been used as exemplary in encouraging learners to think about laws that are unjust and the kinds of actions they as citizens can undertake.

A couple of examples. Antigone in Sophocles' play, first performed in Athens in the fifth century, tells the story of a conflict between Creon, who was the king of Thebes, and Antigone. Creon had decreed that Antigone's brother, who was dead after leading an attack on the city, couldn't be buried in the city. Antigone objected

to that. He brought his brother in and buried him, and he was condemned to death for that act of civil disobedience. Socrates was tried and condemned to death for impiety and corrupting the youth of Athens, and he refused to stop teaching and to comply with the law, believing that it was wrong. Many of us trace the academic freedom that we cherish today back to that act by Socrates.

Religion is filled with civil disobedience. Go back to the book of Daniel. Daniel's three friends disobeyed Nebuchadnezzar, refused under threat of death to worship an idol, and they were thrown into the fiery furnace. They survived, and the king freed them, recognizing then that they must have had a powerful god.

Early Christianity in its history was filled with widespread civil disobedience movements: the refusal of Christians to enter Rome's army; to obey Christ's teaching to shun violence; to avoid worshipping idols; and, again, to not worship Rome's gods.

So if you go back through history and through political science and philosophy, civil disobedience is a large, large theme. It just seems that anything that would curb program designers or teachers in using and studying those works and using those themes in literature or in social studies classes to enlighten and to help students better understand contemporary issues would be a mistake.

I think this particular section of the bill the way it's written now is a mistake. I would plead with the minister to take the time to have someone look at it carefully, to take it out and have the ideas tested or tried on a variety of groups, and then to bring it back in some revised form. Even though I'm sure the minister can look at it and say that the exact words don't say that, the impression, as you read this, is just the opposite. If you start to quibble about words like "foster," then it certainly does muddy the waters. So I would hope that the minister would heed my plea and, again, talk to some of the groups which will be affected by this legislation and see if we can't come up with wording that is more appropriate or actions that are more appropriate than what we have included in the act here.

I think there's much more that could be said, and I'm sure that when the bill is in committee, we'll have an opportunity to extend the discussion on the bill. With those comments, Madam Speaker, I would conclude.

Thank you.

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

**MRS. SOETAERT:** Thank you very much, Madam Speaker. You know, we come in here and we get pieces of legislation. Often we hear: no heavy-duty stuff; just kind of housekeeping.

We look at Bill 20. There are some things that might make some positive change. There really are. However, as always, when you read the fine print, you see that . . . [interjection] You want my volume down? Do you want me to speak a little softer?

**MR. HAVELOCK:** No. We want to hear you, but could you adjust the volume a bit?

**MRS. SOETAERT:** That's kind of hurtful, Madam Speaker.

**MR. HAVELOCK:** I'm listening to you. It's just really loud. [interjection] I can also hear the Member for Edmonton-Riverview, despite the fact that her microphone isn't on.

**MRS. SOETAERT:** Madam Speaker, through the chair, I just love waking everybody up at the beginning of the week. I'll try to speak a little softer. It's just not part of my personality.

**AN HON. MEMBER:** We're not in the classroom now.

**MRS. SOETAERT:** We're not in the classroom now. However, this act does apply to the classroom and the people who are involved with it.

I can't help but think every time I see a bill like this, which has affected teachers, which has affected school boards, and they didn't know anything about it until it was tabled in here -- you've got to kind of wonder about the attitude and the agenda of this government. Why wouldn't they be courteous enough to tell the people this is going to affect that this is coming up? I really don't get it. [interjection] If the Member for Calgary-Montrose wants to bark up, go ahead. Instead of just whining in the corner, he can certainly have his chance at speaking. I'm sure the Speaker would recognize him.

I just want to say that I'm looking at this, and the government has decided to get rid of the Board of Reference. My understanding of the Board of Reference is that it has been in existence for 73 years. I think that would qualify for at least letting the teachers and the boards know that it's going to be gone. I mean, maybe some of the school boards might say: good; it would be easier for us if they didn't have the Board of Reference. Maybe so. On the other hand, it may be a faster process than going through labour relations. As we've heard in here, there's often trouble in the Department of Labour.

So this was . . .

**MR. SMITH:** Point of order.

**MRS. SOETAERT:** Citation?

**THE ACTING SPEAKER:** The hon. Minister of Labour.

#### **Point of Order Clarification**

**MR. SMITH:** Citation 23(h)and(i). It's imputing motives, but it's also not understanding that the Labour Relations Board, a quasi-judicial body, is the one that is responsible for any grievances taken for or towards settling labour disputes in Alberta. It is not the Department of Labour. Surely after five years of good experience . . .

**MRS. SOETAERT:** Six.

**MR. SMITH:** Six years; it looks like five.

. . . you should have in fact gained that knowledge. If not, if the member is not prepared to accept a briefing from the critic, we're certainly practising the open-door policy in the Department of Labour, Madam Speaker, that would assure the member that the Labour Relations Board handles the labour issues in Alberta.

**3:50**

**THE ACTING SPEAKER:** In other words, hon. minister, you in fact are seeking to clarify for the hon. member. Is that true?

**MR. SMITH:** Whatever you desire, Madam Speaker.

**THE ACTING SPEAKER:** There is no point of order, but I think the clarification is well taken, hon. member.

**MRS. SOETAERT:** Thank you, Madam Speaker. There is no point of order; you are correct. It's amazing how quickly time flies for them when they like me so much. It just seems like five years instead of six to the hon. minister.

### Debate Continued

MRS. SOETAERT: Now, back to the bill. I've been interrupted a few times. I want to talk about this Board of Reference. My only point in this is that if there's consensus among people that they want it gone, fine. But you know what? They haven't even been asked about it. In fact, I was at an open house of some new business out in my constituency. A teacher was there, and she came up and said: "What's this Bill 20, Colleen? What's going on with this? How come it's just hit us out of the blue? Why didn't we know it was coming? Don't tell me we have to rally again and phone the minister and write letters till they get it right." I said: well, we'll try the approach in the Leg. where we just try to talk them gently into doing this a little bit better. So we're going to try that.

I want to talk about the policies for a minute. I have three concerns about this bill. One is with section 3. I know it kind of sounds okay. If you really want to get into that, if we get into part of it, "reflect the diverse nature and heritage of society in Alberta," that's wonderful. We have a very diverse nature, cultures here. "Honour and respect the common values and beliefs of Albertans." Well, those common values, I don't daresay we could even list them all. We could certainly list some that we all agree to. We certainly could. But I think that diversity around the province and the board's right to enforce or to implement them certainly deals more at a community level with some of the issues.

I remember there was an issue in Parkland school division just last year about one parent or a couple of parents who were very upset that the Gideon Bibles had been given out. There was a huge furor over it. They eventually had to come up with a policy regarding that. There were all different views of that and people saying: hey, your child doesn't have to take that Bible if you don't want it. The other side was saying: you know, this is a good message for all of us; why can't it get out there? But you know what? Parkland school division dealt with it. They dealt with it. They had meetings, and everyone who wanted input had the opportunity to do that. So I have a fear that these common values -- are they going to be listed? How can we? Maybe it's just the way it was drafted that is problematic. I don't think that this would be a type of fences legislation, so to speak. I'm hoping it isn't.

The other one.

For greater certainty, education programs and instructional materials referred to in subsection (1) must not promote or foster doctrines of racial or ethnic superiority or persecution, religious intolerance or persecution, social change through violent action or disobedience of laws.

Well, if you're teaching in a classroom -- and I know that the Member for Cypress-Medicine Hat used to teach. He's gone to classrooms. Good for him. I wonder if in our teaching experiences we haven't talked to kids about what process they can use to change things, even within their school, if students don't like something. I mean, we may think it means nothing, but to them it's a big issue; for example, use of the cafeteria. I know it sounds small in here, but if you've been in a classroom in a high school, these things are big to them.

Then as a teacher if you say, "Well, there are routes you can go, you know; first you send a letter arguing the policy, and then you rally the kids," is that teacher now in jeopardy of losing their job because they're teaching the students the process to change laws in society or to change what we value? I don't think that was the intent of the legislation. I hope not. But the way it's worded, it could be interpreted that way. We're going to be putting forward amendments, but I think as the minister rethinks this and looks at it, his department will hopefully fix it. I bet even the minister responsible for science and technology will help.

Now, this "social change through violent action or disobedience of laws." I'm thinking of an example just from our communities. When the whole issue of 794 came up -- how can we not talk about highway 794? -- there was a public meeting, and within that meeting there were several courses of action that people decided to take: all kinds of lobbying, all kinds of meetings, all kinds of documentation, all things that people talked about using. There was a group that said: what are you going to do if this doesn't work? Then there was a group of local people who said: "We'll block that highway. We'll all take out our tractors, our combines, our school buses, our cars, our trucks. We'll block the highway." I sat there just a little worried, because these are my neighbours who are going to break the law to make a point. Now, fortunately it didn't get to that.

AN HON. MEMBER: Shameful.

MRS. SOETAERT: No, it wasn't shameful. It wasn't shameful. It was very concerned people who were at their wits' end with trying to get the ear of different levels of government, and they couldn't do it. So when nobody listens, what do you do? You take action. That's about where they were.

You know, I'm glad it didn't get to that. That would have been a difficult dilemma for me to look at, because I feel as strongly about that highway as other people. I don't believe in breaking the law, but I also know that sometimes the reality of changing legislation, of getting people aware is that sometimes action has to be taken.

It's always dangerous to put in the words "common values." I remember quite a few years ago, when I was in university, one of the books we were asked to read for our social studies curriculum course was: teaching kids to think and value. Now, do we really do that? I think of where we come from in our community, our families, our homes, and yes, what we learn in school when you say the words "common values." I have some concerns about what we are saying and what standards we are imposing on different parts of this province when communities have that right to speak out for that. So those are my concerns.

I don't have too much time left. I haven't had a chance to really look at -- and I'm hoping the minister will respond to this for me -- a huge section on part-time employees and temporary contracts. I was more concerned about the other parts as I was reading through, so I just got to this. Many of the teaching profession are part-time employees right now, and this will address a huge, huge amount of teachers. I haven't had a chance to really understand what it's going to mean. I would like an explanation of it.

4:00

It does say in one part of it that "a temporary contract of employment entered into under subsection (1) shall . . . specify the date," et cetera, et cetera, for a period that includes teaching days. I remember there used to be within different school boards I worked for a clause that if you worked a certain amount of days as relief for someone who was sick, after a certain amount of days you got pay and benefits of being under that contract. You got full-time pay, not sub pay. I'm hoping this legislation won't affect that, because once you've been in a classroom for a few days, you now take over that classroom with the preparation and the marking and the parent/teacher interviews and everything that goes with it. I haven't had a chance to really look to see if that's what that will affect at all or if they will have the same considerations as somebody with a full-time contract -- I realize it's a temporary contract -- the same opportunities that another full-time employee would have.

I will conclude my remarks by just saying that I wish legislation were done in a bit better manner. If it came forward, if people saw

draft legislation before, not to raise a furor, if people in this province got used to the fact that this is draft legislation -- don't go crazy over them; these are drafts; show us where you're concerned. But by the time they get to the Leg., now people are afraid they're going to be law. "We have to go crazy on this. We have to lobby. We have to phone. We have to sign petitions. We have to phone the minister's office. We have to phone the member of the opposition, and we have to all phone our local MLAs." Well, I'm sure there are better ways of drafting legislation or doing the homework before it comes to the floor. I'm afraid that has not been done in this case.

If there's a morale problem amongst teachers in this province, I would bet that more than the workload, more than the pay issue it's the attitude of this government towards them and the job that they do. I asked the minister on Friday during estimates: do you consider teachers your employees, part of your staff? I feel it's important that staff have good morale and feel good about the job they do. He said to me: I don't consider them my staff; I consider them my partner, a partner in educating our students. Well, don't you think partners should be, then, part of the loop? Don't you think partners should have a chance to look at the legislation that will affect their classroom, will affect their lives, will affect their colleagues, will affect the school boards? I just find it amazing that the school boards and the teachers haven't even had a chance to see this before it comes to the floor.

So, Madam Speaker, some of the bill I will support. A couple of amendments are absolutely necessary before I can in all good conscience let this bill go forward. I see many late nights debating some of these amendments. [interjection] I know people look forward to that, especially the Member for Livingstone-Macleod. I know he'll speak on behalf of his teachers and his school boards that haven't had a chance to see this.

I wonder: was there a briefing session beforehand on this bill? You know what? I have to say that with legislation that's come forward from the department of transportation, there may be some amendments to the new bill coming out, but it's been to all kinds of stakeholders. It was tabled last fall. The opposition had an opportunity to have been briefed on it. It's a good process, and we won't be sitting here filibustering a bill because of two lousy clauses where it's either been sloppy drafting or lack of consultation with the people who are involved.

DR. TAYLOR: At least you said that you'd filibuster, Colleen.

MRS. SOETAERT: I said the word "filibuster"? Is that a scary word over there?

THE ACTING SPEAKER: Hon. member, through the chair, please.

MRS. SOETAERT: Madam Speaker, it sounds like "filibuster" may be a scary word, but to me, when it's legislation that's important and poorly done, you bet I'll filibuster, and that's a wise use of taxpayers' dollars.

I see that members opposite probably want to speak to this piece of legislation. I can hardly wait to hear them, but they'll have to wait their turn because I want to make three points about this bill. I think this reflects an attitude and agenda of this government where they haven't consulted everyone. They're getting rid of the Board of Reference, which, to my understanding, has been a good tool and has resolved issues quickly. Sometimes school boards don't like the decisions they make; sometimes teachers don't like the decisions they make. But they make them on the information, and they do it rather quickly and don't have to go through all the labour relations provisions. I'm concerned about section 3, where we're talking

about "common values" and also the reality of not teaching "disobedience of laws." There would be a lot of MLAs in here who wouldn't have been able to speak out in their constituencies how they felt about the gun registration. I know several of them have. So we'd better watch what we put in our legislation if we're going to practise what we preach here.

I would have everybody have a look at Bill 20, have a look at what you're asking to be taught -- it's on page 2, section 3 -- and have a look at what you're actually saying about what can and cannot be taught in classrooms or implied or inferred. So I caution on that.

Finally, I want some answers on the part-time employees and what that will mean. I didn't have a chance to really look at the implications of that, so I would like an explanation of that from somebody on the other side who might have done their homework on that more thoroughly than I on that section. I'd appreciate that.

So, Madam Speaker, with those words, I'm hoping that people will not support this bill until it has been amended. Maybe it should go back to the drawing table. Maybe we should kill it in second reading. That might be an idea.

AN HON. MEMBER: Good luck.

MRS. SOETAERT: The member opposite says, "Good luck." Well, you know, we have had luck in this Legislature. We tried Bill 37. That had to be revisited. We hope that Bill 20 will now be revisited.

Thank you, Madam Speaker.

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

DR. PANNU: Thank you, Madam Speaker. With your permission I would also like to speak to Bill 20, School Amendment Act, 1999. There are several issues that are addressed in the bill. I would like to focus on two parts of the bill: the first part of the bill, that deals with "education programs," "diversity in shared values," and secondly, the repeal of the Board of Reference and the sections of the education act that refer to the Board Reference. These are two issues on which I would like to focus.

There are obviously other parts of this bill that require close scrutiny. The section dealing with charter schools requires close scrutiny as well, but I hope that I'll be able to make some contribution on that during the study of the bill in committee. Similarly, part-time teaching is certainly part of a larger trend in society, the growth of part-time jobs, part-time work, so the study of this particular section in this act requires close scrutiny in the context of the growing pattern of part-time jobs. What one needs to look at are the protections, the securities, and the benefits side of part-time work and part-time contracts in teaching.

4:10

Madam Speaker, section 2 is amended under item 3, adding the section "Diversity in shared values." I applaud the minister for clearly stating the position of the province of Alberta and of the Minister of Education with respect to respect for ethnic and religious diversity in classrooms. Section 2.01(1), which reads that

all education programs offered and instructional materials used in schools must reflect the diverse nature and heritage of society in Alberta, promote understanding and respect for others and honour and respect the common values and beliefs of Albertans,

is a section that has my full support. I think this is a very clear statement of the basic core values of Albertans, and certainly I'm pleased to see this section stated in as clear a language as it has been stated here in this bill. So the minister has my full support for that.

Now, sub (2) of the same section, section 2.01, is the one that

causes deep concern to me and to other members, I'm sure, of this Assembly and certainly to Albertans outside this Assembly. I want to read sub (2) into the record.

For greater certainty, education programs and instructional materials referred to in subsection (1) must not promote or foster doctrines of racial or ethnic superiority or persecution, religious intolerance or persecution.

Up to this point in this I am in agreement with the proposed change, addition. Again the minister can assume that he has my full support.

But the very last part of this statement is "social change through violent action or disobedience of laws." It is this very last part of the statement in sub (2) that's a matter of profound concern to me. Disobedience of laws is always of course, if it occurs, a symptom of something perhaps more serious, something deeper, and that is it could be a signal of the fact that the law is considered by those who are not willing to obey it as unjust and at worst immoral. So on those grounds, in all societies, particularly in democratic societies, we expect dissent, if not disobedience, expressed to laws considered unjust or immoral.

Now, the minister says that his intentions are clear, that he does not intend to discourage the study of nonviolent civil disobedience. I take him at his word. There's no quarrel about it. I'd never accuse the minister of having intentions that are contrary to what he states he has. My concern is with the wording of the legislation. I'm of the view, his intentions aside, that the language of this act says exactly what it says. It's unambiguous. It says that promotion or fostering of either violent acts seeking social change or use of disobedience of laws to seek social change will not be allowed, will not be tolerated.

Putting these two statements together, "violent action" and "disobedience of laws," creates some problems in addressing the problem that I find with this part of the statement here. In the classroom situation when we study history, when our students try to learn about social change, movements that led to social change, means that were used by these movements and their leaders to achieve social change, we come across the use of violent action. The American Revolution is a good case in point, a large-scale attempt for social change, and violent action was used, clearly, in that case. Now, for a teacher clearly I think it would be entirely appropriate to talk about revolutions such as the American Revolution to draw attention both to the goals of that revolution and also to the means used and to perhaps draw attention to the relationship between means and goals and the dilemmas that we face in our daily lives in making those connections between appropriate means and appropriate goals.

For a teacher the dilemma lies in the fact that the line between studying and teaching and promoting understanding of these historical events and the analysis of the relationship between means and goals associated with these large-scale histories of social change, revolutions, is very fine. The line is very fine between promoting understanding of and promoting the use of. How does a teacher know where to stop, exactly where to stop? If this bill were passed in its present form, it will certainly I think send a chilling message to teachers that in a case where they're not certain if they'll be crossing that fine line, they should stop short of crossing, that they self-censor themselves in promoting the genuine, interest-driven study of past events and what can be learned from them.

"Disobedience of laws," the last part of the statement, is a slightly different kettle of fish. The point here is that disobedience of laws has been used throughout history. I'll just limit myself to some major events in this century and draw attention to how laws have been deemed by those over which they have been applied as immoral, unjust. Masses of people, both in democratic societies and

societies that have been striving to transform themselves into political democracies, have used civil disobedience, mostly in nonviolent fashion, to oppose those laws.

I can certainly make references to very recent events. A fellow who was an electrician, who worked in a shipyard in Gdansk, in Poland, in very recent years used nonviolent civil disobedience to seek political transformation of a society that was politically oppressed and repressed and did so successfully. Now, Lech Walesa was that man, that leader who became the president of this new political structure in Poland. So the teaching about civil disobedience I think is necessary in fact, in my view, if we are to prepare our students not only to become technicians and engineers but also to become responsible and active democratic citizens. It is the duty of an educational system that operates in a democratic society to in fact invite students under its charge to look at these situations which have been used to broaden the democratic rights, the human rights of citizens in a variety of societies.

#### 4:20

Another case, of course, was Martin Luther King in the U.S. civil rights movement. It is a very good example of how unjust laws were challenged through the use of disobedience of laws in existence, of those very laws. We can think about many other examples. When I was a child growing up in India, I saw in my own experience as a child a large-scale use of civil disobedience in the fight against colonialism and the extension of democratic rights and of a popularly established democratic government in India as a result of the use of civil disobedience in an organized fashion, led by none other than Mahatma Gandhi.

We do need our children to learn about these movements. We do want our children in fact to become democratic citizens. We do want them to be able to express dissent. We want them to grow up to want to be governed on the basis of informed consent rather than forced obedience to laws. Open and democratic societies rely on this principle of informed consent and compliance with governance and laws. Open and democratic societies hesitate, try very hard not to suppress dissent and not to seek obedience to laws by force or by the use of threat of force.

It's this part of the act that I think needs revisions, and the minister has certainly shown some inclination to reconsider. I want to go on record as stating that I would be willing to work with the minister to suggest to him a language for that part of this subsection that will address my concerns and, I hope, the concerns of most of us, who are all committed to a democratic and open society and democratic and open government.

I certainly would be willing to work with him to find a language that's mutually acceptable, unless subsection (2) here can be read as a continuation of the preceding subsection, subsection (1). If what he means by pursuit of social change through violent means or acts of disobedience is to refer to discrimination based on ethnic or racial superiority or religious bigotry and if it is acts of change related to these three things that he refers to here that he would want to prevent from being carried out with the use of violent action, then I think perhaps we need to find a different language. It is possible that subsection (2) should be read in tandem with what's stated above. If that's the case, then again I'm sure the minister has the expert skills available to restate, perhaps, his intentions so that his intentions are congruent with the language of the bill itself. So certainly I look forward to hearing from the minister on this as to what actions he wants to take.

My point on which I think no one else should be willing to make a compromise is the question of the right to express dissent and the question of the right of our children to know the historical uses and

the possible uses in our present situation of disobedience to laws which may be deemed by them as unjust or by members of society as unjust or immoral. I think I've said enough on this, and the minister has been very reasonable in his desire to listen.

I want to talk now about the second part, and that is the repeal of the Board of Reference that's been included in this bill. That section of the bill doesn't make sense to me. The minister says that it has worked well in the past, but now we have more reasonable labour laws, and therefore this Board of Reference is redundant. The second argument that he gives is that the Board of Reference is being used only in this province and that other provinces don't use it. He wants to become like the other provinces. I don't see the compelling nature of this particular reason or logic here. Why is it necessary to become like other provinces? Why harmonize this particular law because other provinces have something different when in fact it has worked? Just as the Treasurer has brought in his flat tax proposal to become different from other provinces, what's wrong with remaining different insofar as the use of the Board of Reference by individual teachers in this province? The minister hasn't consulted with teachers, and he hasn't looked at and weighed arguments that support the continuation of the Board of Reference.

In my view the Board of Reference is the cheapest way. It is the most efficient way. It costs very little to the public treasury to have this board in place. It's also a board which seems to keep the adversarial nature of the relationships in check. Arbitration certainly is available to all of us through LRB. It's a much more adversarial process. Both sides could use expensive lawyers. I don't have anything against my colleagues who are lawyers who sit in this House, but certainly the point is that taking the Board of Reference out and replacing everything that it does with arbitration that's available through LRB will make matters more adversarial, and it will make the pursuit of redress for wrongful dismissal or wrongful appointments much more expensive. I don't understand what the minister's reasons are, and the transparency of the reasons is what I find very difficult.

**THE ACTING SPEAKER:** I'm sorry. Last time there were two other members that did rise, so now I will recognize the Member for Calgary-Egmont.

**MR. HERARD:** Well, thank you very much, Madam Speaker. I applaud any Minister of Education in this province that puts words in the School Act that talk about "promote understanding and respect for others and honour and respect the common values and beliefs of Albertans." I think it's high time. I've heard comments from the other side that perhaps that's going to be difficult to do, because what common values are you referring to? Well, I think all of them, all of them that allow our children to become responsible citizens and respect others, respect the property of others, respect the diversity of others in culture, language, religion, and so on.

You know, it's interesting. We want our kids to become lifelong learners, but how does anyone become a lifelong learner without first of all taking ownership of their own learning? So I prefer to talk about independent lifelong learners, because that speaks to the values and attitudes that are needed to take ownership of one's own learning. I think that's part of what the minister is referring to in some of these very short sections.

**4:30**

I had the real honour of working on a couple of education committees in years past, one on technology in schools and the other on business involvement in education. One of the things that I discovered from all of the professionals that were on that committee,

people from virtually every sector of education -- one of the things that really struck me was that about 60 percent, I think, of our children that graduate from high school never go on to postsecondary education. They default into the workplace. They work at a number of different jobs. They end up buying expensive wheels, falling in love, and discovering that they can't support the kind of lifestyle that they would now like to be able to with respect to their future. So we find them back in the postsecondary system at age 27. That's the average age, for example, of a first-year apprentice.

One of the things that struck me as well is that many of these children of ours who graduate from high school and default into the workplace have difficulty hanging on to their first job. I'll always remember the president of a particular manufacturing company in this province saying to us that whenever he puts an ad in the paper, he gets 150 of our kids applying. He interviews 75, he hires 30, and by the time the two-month probationary period is over, he's lucky if he's got two or three. He says: "It's not because they can't read. It's not because they can't write. It's not because they can't count. It's because they have no values and attitudes." They have no work ethic. They can't get along with each other. They can't be bothered to show up on time. They can't take criticism. They have no respect for the quality of work they do. But what is that? That's all values and attitudes, and I applaud a minister who puts in a notion of "common values and beliefs of Albertans," because Albertans do have a strong belief in work ethic.

With respect to the second part of this, that some people have a problem with regards to the removal of the Board of Reference, I've had a number of teachers approach me with respect to that in the last few days. Speaking for myself, I don't see that it would be very difficult to fix the problem. I can understand that if there are some agreements out there that do not have the appropriate clauses to offer the kind of protection that some of them feel they should have, then I wouldn't have a problem, speaking for myself, saying: why don't we grandfather those agreements until they negotiate the next one and be done with this silly problem? I think it's probably a wise thing to do, to make sure that there is protection that continues through a particular transition time.

Anyway, I just wanted to say a few words with regards to finally seeing some words that talk about "common values and beliefs of Albertans." I think another thing that happens is that we all look at careers, and I can remember a teacher in my life that made a big difference to a lot of people. He said: you know, the word "vocation," or career, comes from the word "vocare" in Latin, which is a calling from within. He said: don't worry about what you're going to be in the future; just listen to the calling from within; open your mind and your soul to the world, and let your values and attitudes guide you. So I'm really, really pleased to see a minister that is starting to put at least a few of those words in legislation.

Thank you very much.

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

**MRS. SLOAN:** Thank you, Madam Speaker. I'm pleased to rise this afternoon and offer some thoughts with respect to Bill 20. I'd like to begin just by speaking briefly about the theme of values and beliefs. It seems to me that there's an inherent contradiction in this government's waxing on about instilling values and beliefs in our children when they have done more than any other government to undermine the value of our public education system and the belief that we in this province aspire to allow every child, regardless of their social, economic, religious, or cultural background, the same entitlement to education as any other child.

This government's continual underfunding of our public education system has in fact ensured that the disadvantaged in our province, if not all of our children, will receive a compromised education. So on the point of values and beliefs it is beyond tolerable to sit here this afternoon and listen to this government preach a sermon about how our teachers should impart to our children in the school system the proper values and beliefs when we in this Legislature do not see an example in this government, of leaders in government positions that impart a value and a belief that supports public education.

The other aspect or general theme of this bill that is so abhorrent to me is the antiteacher sentiments that run throughout the amendments proposed to this act. I am quite frankly sick of this government's attack on the public service. They have certainly undertaken to undermine our public service in the health care system and have been continually attempting to undermine and discredit the professionals within our education system, and the amendments proposed to this act are yet another example.

How do I justify that statement? Who was consulted about the amendments? Who was consulted? Were the teachers? Was the ATA? If, in fact, my statements are not true, Madam Speaker, then I would challenge any member of this Assembly to stand today and itemize a list of who, individuals or organizations, was consulted about the amendments to this act. I would suggest that there are none, zip. [interjections]

MRS. SOETAERT: We know their attitude on teachers.

THE ACTING SPEAKER: Spruce Grove-Sturgeon-St. Albert, you have already spoken. I'm listening to the debate with Edmonton-Riverview, and I'm hoping she's going to stick to the principles of the bill.

Carry on.

MRS. SLOAN: The hon. minister of science and technology says, in providing rationale for why these amendments are here, that the caucus of the Conservative government of this province was consulted, Madam Speaker. Now, does that not speak volumes about who this government values and what beliefs they support? We will ensure that those values are circulated and magnified to the broader population in this province.

4:40

The other inherent disrespect in this bill is a disrespect for the collective bargaining process. We go through, in matter of course, collective bargaining within the education sector. I can only conclude that while there were tables negotiating articles in collective agreements that related to the aspects provided in this bill and amendments, there was nothing given to the negotiators for either the trustees or the ATA that would have informed them that there were impending changes coming that would have impact on the articles of the collective agreement they were now negotiating.

So now what do we find? We find ourselves in a position where we have collective agreements just freshly ratified, and this government brings in, something that they were intending all along but didn't have the guts to go out and take to the bargaining tables, the proposals. Now we have all of these changes, and how does the government propose they are to be implemented? Well, they're not going to be implemented if the collective agreement doesn't speak to those aspects, so they are in fact interfering, I would suggest, in the collective bargaining process. Let the record show that every time a minister in this government stands up in this Assembly and says that they respect the process, we will stand up on a point of order and cite Bill 20, School Amendment Act, a direct example of

where that in fact was not the case. [interjection] My, my, my, the minister of agriculture is so provocative this afternoon.

### Speaker's Ruling Addressing the Chair

THE ACTING SPEAKER: Hon. Member for Edmonton-Riverview.

MRS. SLOAN: I am attempting to stick to the debate, Madam Speaker, and I think I'm doing a mighty fine job.

THE ACTING SPEAKER: I have twice asked you to go through the chair. You don't need to acknowledge any other members of this Assembly. If you're sincere in this debate, you go through the chair.

MRS. SLOAN: Absolutely. If they were really sincere about this debate, they'd be on the speaking list and standing up and making their comments on the record. Thank you, Madam Speaker.

THE ACTING SPEAKER: Hon. member, what does that have to do with the debate at hand? Now, we've been through this before, Edmonton-Riverview. Through the chair, on the bill, which is Bill 20, which is before you, not interjections back and forth. This is not that kind of debate. I will be glad to recognize anyone after you're done.

MRS. SLOAN: I would suggest, Madam Speaker, that the individuals that need to be spanked this afternoon for speaking out of turn . . . [interjections] I am speaking to the bill, Bill 20, and providing some very rational . . .

THE ACTING SPEAKER: You are provoking a number of members in this House. Now, stick to the debate.

MRS. SLOAN: Thank you. I am absolutely focused on the debate this afternoon. The problem, Madam Speaker, is that my remarks are causing some consternation and angst in the ranks on the other side, because they are uncomfortable about the tenets of this act in fact.

### Debate Continued

MRS. SLOAN: Now, let's move to another aspect of the statements made by the minister this afternoon, that this government's utmost priority is the protection of students, to provide safe, caring, and secure environments. Well, is that another example of hypocrisy and contradiction? We know that this government's spending in the public education sector is the lowest in the tenure of the Conservative governments in this province.

[The Speaker in the chair]

I'd like to quote this afternoon from Re-investment Fables: Educational Finances in Alberta. There are three incontestable facts in the analysis surrounding Alberta's funding of public education. Number one is that per student funding for public education under Premier Klein's term was less than during the preceding Lougheed and Getty periods. Number two, the reinvestment initiatives announced in January of 1998 do not reverse the trend of declining per student funding, and three, per student funding in Alberta is below the Canadian average, making it difficult to argue that Alberta's youth will receive superior education.

How does the Minister of Education profess to be able to provide safe, caring, secure environments for students in this province when his very funding priorities have consecutively underfunded and

eroded public education in the tenure of Conservative governments in this province? It's appalling. Yet all that being said, Mr. Speaker, it would appear this afternoon that what this government wants to do is off-load that responsibility, that our environments within the school should be safe, should be caring, should be secure, but it's the school boards' and the teachers' responsibility to fulfill that when this government stands idly by and continually gives them less money when they have evidence that the funding they require is in fact more.

If there is any doubt in this Assembly, I am adamantly not supporting the amendments to this bill, just in case that was a matter of question in anyone's mind. I'm sure I'm at least 15 minutes into my debate, and I hadn't said which way I was going.

MR. DICKSON: Could you quit waffling, hon. member?

MRS. SLOAN: I will quit waffling, and I'll be unequivocally clear.

The Board of Reference. Let's just talk a little bit about the Board of Reference, 73 years of history of providing fair, principled dispute resolution and rulings with respect to the disagreements between teachers and school boards. Now all of a sudden with no consultation, no analysis of the history and the functioning of that Board of Reference, no review of the decisions made and how they best served the teachers, the students, and the schools, I would submit, out of the blue, Mr. Speaker, this government decides we're just going to wipe that whole mechanism out unilaterally with no consultation and insert the arbitrary provisions of the Labour Relations Code.

Now this is where it's extremely difficult to say that the government doesn't have an ulterior agenda. The Minister of Labour knows within his portfolio in what sectors collective agreements have expired and what tables are going through the process of attempting to renegotiate the collective agreement and what collective agreements, I would submit, are in the process of being ratified. Did he, Mr. Speaker, inform the tables that were active in the education sector that these amendments were being planned and were going to come forward in this legislative session? I would suggest that he did not. I invite the Minister of Labour to rise and speak to this this afternoon.

How does this government expect anyone in this province to believe that they respect and will abide by the collective bargaining process when such blatant, unilateral initiatives are undertaken? I would question: how and on what basis and with what justification or proof do the Minister of Labour and the Minister of Education believe that eliminating this Board of Reference and substituting the Labour Relations Code and provisions for arbitration will better serve the efficiency and the effectiveness of relationships within the education sector in this province? I don't believe that really has been given any consideration at all by this government.

The other question that I would ask, in light of the fact that we have a number of collective agreements just recently ratified in the education sector, is: how in fact does the government plan to implement this change? Are they going to impose that all of those agreements have to be reopened for the amendments that would make the collective agreements thereby synonymous with these amendments? The Minister of Education in his remarks this afternoon didn't give any details about that at all. He didn't speak about how he was going to address amendments to collective agreements. That is a huge, huge question.

4:50

We have heard on many, many occasions how we want to reduce expenditures in this province, how we want to be operating with the

utmost of efficiencies, and how is it effective or efficient, Mr. Speaker, if we go through rounds of collective bargaining, complete the negotiations, ratify the collective agreement, and then the ministers of Education and Labour come out of left field, actually right field in this case, and say: "Oh, by the way, folks, you know that collective agreement you just finished bargaining? Well, we have a couple of little changes that we needed to make." How does that meet the mark? I really, really don't understand the principles upon which this government operates. It goes back again. This is all part of an agenda, in my opinion, to further undermine the representation of teachers and, I would submit, the representation of public education in this province.

The values and beliefs section of the amendments that are being proposed -- and I'd just like to read the "diversity in shared values," 2.01(1), as it reads in the bill.

All education programs offered and instructional materials used in schools must reflect the diverse nature and heritage of society in Alberta, promote understanding and respect for others and honour and respect the common values and beliefs of Albertans.

I'd just like to talk about that particular section for a moment, "honour and respect the common values and beliefs of Albertans." Now, I just wonder how many different interpretations we could find, Mr. Speaker, in this Assembly of what the "common values and beliefs of Albertans" are.

MR. DICKSON: That would be the severely normal ones.

MRS. SLOAN: Well, the hon. Member for Calgary-Buffalo said, "That would be the severely normal ones." Exactly.

I would suggest that values and beliefs in this province are as diverse as the cultures and religions that we have. Like, how is this going to be interpreted? Is the minister going to be sitting in his office, and some day he'll get perhaps a member of his caucus, another MLA, a particular adviser say to him: you know, this particular teacher or this particular school board, they do not respect my values and beliefs, and they are not instructing students in a way which I can support. So is the minister going to, given the inclusion of this section in the act, suggest that he has the ability to review what instruction students are receiving? There are just too many interpretations, Mr. Speaker, in my opinion, to be able to support this. I agree with the member opposite that spoke about needing to respect values and beliefs, but in the way in which this has been incorporated, it seems to have more inherent dangers than benefits in my opinion.

I'm sure that the further debate on this bill will be lively. I would be most hopeful that members who chose to debate it anonymously by their comments this afternoon during my period on the bill would rise and provide those comments directly on the record. In that respect it should be entertaining and enlightening, Mr. Speaker, to hear the further debates on this bill.

Thank you very much.

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

MS KRYCZKA: Well, I will take up the challenge from the other side. I would like to speak mostly to the comments from my colleague the hon. MLA for Calgary-Egmont. I'd like to in particular support his comments on the importance of values and attitudes in his comments that were of course supporting the minister.

I was in the school system myself. In fact I left in 1980, and it would seem to me that traditions and values don't change a whole lot even though the world and circumstances somewhat change. I worked with students and teachers and administration as a guidance

counselor, and yes, we dealt with students and did basic things such as helping them with scheduling their subject material, their programs; helping them to plan for the future, what schools they would go to, what postsecondary institutions. But we also dealt with discipline problems and attitude problems, and all of that is related to values.

If you don't have values and discipline in a classroom, then you have difficulty teaching subject material. So you ask the question: which is more important to students? In my mind development of values and attitudes that are positive within students is key in education. You look to the teachers in the classrooms, and definitely the role of the teacher involves incorporation of values. Teachers are role models to students in the classroom. In fact, it would be a known fact more and more these days that teachers actually spend much more time directly with students than many parents do, and you can't deny the influence that teachers have, which I think certainly increases their role and their influence over students and their values in their lives.

But I think what is really important, again I agree, is lifelong learning. We all know how much information has changed and how quickly it continues to change, and what you learn this year in the classroom as subject material will not necessarily apply five years down the road. What is really important is going through the process of learning and what comes out of it and how you can apply that to other situations once you do leave school, whether you go on to work directly -- 60 percent of students do, according to my colleague here, and the rest of them go on to schools. I would say: why do schools offer, for instance, sports programs, teams, competitions? Because values are learned through competitions, striving to do your best, working in a team environment, working together. It's not subject material that teaches values and attitudes that are lifelong. Those are lifelong skills and learning.

When I was in the workplace -- I would have to say that I would agree with the example that was given. When you're recruiting, which I did for seven years in a large law firm, you look for basic skills and knowledge, but everybody's got basic skills and knowledge. So then how do you choose one person out of 10? You look for potential that makes that person a very valuable employee, and you look for certain values and attitudes. I worked with young people in the hotel industry and developed them as employees.

Just to be very specific about values and attitudes, I think there is a core no matter what culture you come from, what country you come from. I think there are basic values out there that people in Alberta would choose to be very important, such as honesty. I go back to a school situation. Why do you have discipline problems? A lot of it is because a student is not being honest. "Did you study for your exam last night?" And they say, "Yes," and then they flunk it. Well, you know they didn't. But basically honesty, communication, teamwork, doing your best, sharing, respect not just for others but for yourself -- and I would say that another very important skill is decision-making, and again it doesn't matter what the subject material is. So, in my mind, schools play a very important role as far as these go. In fact, I think a lot of the values and attitudes are very lifelong, and again I applaud schools, some of them that have acknowledged some programs.

5:00

I'm going to give you an example. There's a program that I know of in Calgary. Students are part of the program on a volunteer basis, but definitely it's supported by the schools. It's called Friends of Seniors, and the students are paired up with seniors in nursing homes and volunteer their lunchroom time to spend time with seniors and through that experience, again, learn a lot about relationships and

values: how to value seniors, how to treat them with dignity and respect, especially since you know what they have contributed to society, and to appreciate someone else's point of view.

I would stress again that all of this is part of schools and of learning, and if we don't talk about the importance of values and attitudes as a start in school from the time you go to ECL and earlier, if we don't say that this is important, and if there isn't a core that is important and acknowledge it, I don't think we're fulfilling our responsibility as citizens towards our young people.

Thank you.

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

MR. DICKSON: Thank you very much, Mr. Speaker. I want to start by acknowledging both the Member for Calgary-Egmont and the Member for Calgary-West and thanking them for participating in a debate on an issue which I think has generated considerable interest not only in this Assembly but outside. I think both those members should be applauded for participating in a debate which affects their constituents as well as the rest of ours.

Now, having said that, I can't resist an observation. When I listened to the Member for Calgary-Egmont make his observation -- it was a lament, and it was the observation of a third person shared by repetition through the Member for Calgary-Egmont. What struck me about that was that he talked about these young people who didn't have the appropriate attitude and the appropriate -- I don't know whether he used the term "work ethic," but I took that to be the tenor of his comment. He then made the observation: but most Albertans, talking about adults, have exactly those sorts of bedrock values, and it struck me that there was a huge kind of disconnect.

You know, where do children learn their values? Where do children learn to model other than their parents? It's not so much teachers as what they learn at home. I'm going to suggest to the member that my experiences with young people today in this province through the kind of volunteering that the Member for Calgary-West talked about, young people going in and working with seniors or young people involved in a host of service projects, young people involved in the Duke of Edinburgh awards, young people involved in Pathfinders and Rangers and programs like that -- I'm exceedingly proud of young people in this province. When I go into high schools and junior highs and see the kinds of values that those young people have, I'm tremendously proud of those young people. So I am distressed to hear any generalization that suggests that these young people aren't a credit to their communities, to their families, and to this province.

Dealing with Bill 20, a couple of observations. It's interesting in section 2 that we're going to expand the definition of "expel," and I'd ask the Minister of Education to tell us: is this a bigger problem now than it was 20 years ago? I'm always struck by the focus of school administrations and administrators in terms of beefing up the ability to expel students. I'm more struck with what happens to those young people who are suspended or expelled from school.

I've had some experience talking with people running the alternative high school in Lethbridge, the alternative school in Calgary. What I'm struck by is that we spend far more focus sometimes as a community and as a school institution in trying to get these children who are disruptive and problematic out of the classroom, and we don't seem to be animated by nearly as much concern with how these children then get access to education. I've never been prepared to consign some 15 or 16 year old, to write off that young person because they happen to be a problem in the classroom. It's easy for me to say; I'm not a school teacher. I'm enormously sympathetic of the challenge presented to teachers and

school administrators, but I wish we could take a fraction of the energy we expend trying to worry about how we're going to get them out of the classroom, out of the school, a fraction of that energy in terms of: what do we do with them then?

That youth who gets expelled from school or suspended for a period of time and then expelled or whatever -- those children don't disappear. They end up in the youth justice system, then they end up in the adult offenders' system, and then they end up with a host of other problems. We end up paying for those kinds of social problems later. So I'm distressed with the focus on making it easier to expel, making the rules clear, and I don't hear the corresponding obligation to assist these young people, many of whom have a host of other issues and problems, to stay connected with the community and be provided with some supports.

Now, I want to turn quickly to section 3. It strikes me that what we've got is that in an increasingly pluralistic society, the increasingly pluralistic community that's Alberta in 1999, we seem to have a government that's more focused on trying to be populist. Populism can be a very scary thing when it's carried to the logical end of that argument. We have a pluralistic society, no constituency in this province more pluralistic than Calgary-Buffalo.

I always get a bit worried when somebody says: we're going to identify common values and beliefs. What I say is that if we wanted in Bill 20 to build some sort of baseline and we want to respect common values and beliefs of Albertans, why wouldn't we simply say, Mr. Speaker: respect the Bill of Rights, respect the Charter of Rights and Freedoms, respect the universal declaration of rights and freedoms promoted by the United Nations in celebrating the anniversary? Why wouldn't we say that we're going to support the Human Rights, Citizenship and Multiculturalism Act? Why would we not provide those things? I say that not just to the Member for St. Albert but to every member in this Assembly through the chair. It seems to me that I'd be happy, that I'd be able to sit down, that I'd be able to vote for this thing if we'd be able to make that provision.

There are all kinds of people being traffic policemen and referring me to the Speaker. I want everybody to know that I'm continually addressing my comments respectfully through the Speaker, but that doesn't stop me from being able to make eye contact with my colleagues on the other side, and if it makes them nervous, they can point to their heart's content until my 20 minutes are up.

In any event, Mr. Speaker, with respect to the new section 3 and the proposed 2.01, I'm going to propose to members when we get to the committee stage, if this bill gets that far, that we delete the words "respect the common values and beliefs of Albertans" and instead we look at recognizing the universal declaration of human rights.

5:10

One of the problems is that we have seen when we talk about common values and beliefs -- I think apartheid in South Africa was something that was a matter of law and popularly supported. The common values and beliefs of Albertans. When we had a poll tax for Chinese immigrants at the turn of the century, that was something that was widely supported. Probably if you had taken a poll, Albertans at that time -- it would have been the turn of the century -- would have said: yeah, that's one of our common values and beliefs. When we seized the property of Japanese Canadians in 1941 after Japan joined the Second World War and expropriated their land and forcibly moved Japanese Canadians, citizens, from the west coast of Canada to Taber and places in southern Alberta around Lethbridge, if we had taken a poll, probably there would have been 80 percent support for it. I've talked to my parents, who lived in this province at that time, and most people of their generation thought: there's a fear there, and we want to deal with that.

All of those of things at their time may have represented a common value and a belief of Albertans. Is that good enough? I think not. I think, as is always the case with the benefit of hindsight, we look back and we say that those were outrageous acts. We can understand in the context of the history of the time why they happened, but it sure didn't make them right. So that's always the fear when we get into the kind of provision that's in the proposed new section 2.01(1) and (2).

I give full credit to the Member for Edmonton-Strathcona, who raised this in question period the other day, the part where we get into talking about schools "must not promote or foster doctrines of racial or ethnic superiority or persecution, religious intolerance or persecution". All of those things we'd like to think: yes, we wouldn't want our children taught those things. But, you know, there's a difference sometimes between what we say is a promotion or fostering of something and what is giving children information about the history of the world. History is replete with instances of intolerance and bigotry and abuse of individual rights. I've given some examples.

I believe that the Minister of Education's intention is not to limit students being able to look at Leo Tolstoy or read about Mahatma Gandhi and what had been done at the Nuremberg trials or to read the letter from Birmingham authored by Dr. Martin Luther King. The difficulty is, Mr. Speaker, that when you look at the wording of the proposed 2.01(2), in fact it could be argued that Henry David Thoreau's book *On the Duty of Civil Disobedience* would offend this section.

Somebody might say: what's the big deal? One of the big deals -- and this is fascinating to me because there were so many supporters in the government caucus of private schools. Do they realize that if they look at section 5, if a private school in Calgary-Buffalo or Livingstone-Macleod or any constituency around the province should happen to have a teacher in social studies who happens to want to use instructional material in educational programs that would involve Henry David Thoreau's text *On the Duty of Civil Disobedience*, they potentially can have their registration or accreditation suspended or canceled?

Now, the Minister of Education can say that that's not his intention, and I accept his word, but, firstly, we don't know that he's always going to be the Minister of Education. There will be people in his department who make these decisions for him. The minister may be away at a conference of education ministers in Toronto, and some overzealous zealot in the Department of Education decides that he's going to pull the charter of a private school. Now, I'm no big fan of private schools, but I recognize that by the laws of the province of Alberta they have a right to be there, that by the laws of the province of Alberta they have a right to public funding. It seems to me that we may be hearing from some of those private school operators who say, "Why would our ability to carry on a legal course of instruction be suspended just because somebody has a very, very narrow view of this new proposed section 2.01(2)?"

What would students be missing if they lost the benefit of that? From *On the Duty of Civil Disobedience*, written in 1849, just two quotes I'll quickly read. I'd ask members if they had a problem with this and why children in junior high school shouldn't be exposed to Henry David Thoreau saying:

Why does it [government] not cherish its wise minority? Why does it cry and resist before it is hurt? Why does it not encourage its citizens to be on the alert to point out its faults, and do better than it would have them? Why does it always crucify Christ, and excommunicate Copernicus and Luther, and pronounce Washington and Franklin rebels?

Or why would we be afraid that students in Alberta schools, whether it's in Banff or Canmore or Cochrane or in downtown Medicine Hat, not be able to learn:

Is a democracy, such as we know it, the last improvement possible in a government? Is it not possible to take a step further towards recognizing and organizing the rights of man? There will never be a free and enlightened State until the State comes to recognize the individual as a higher and independent power, from which all its own power and authority are derived, and treats him accordingly.

Are those subversive sentiments? Are those things that we would be afraid to let our children in school in Lacombe learn? I think not. I think not. But the way this bill is worded as it currently stands, that could very well be the result. I don't think parents in Calgary-Varsity would want to see that sort of material not brought into the classroom.

You know what's more, Mr. Speaker? There's a thing called prior restraint. The most odious form of censorship. How does that operate? It operates because somebody says as a teacher or a curriculum planner in a high school: "Gee, we've got Henry David Thoreau's text on civil disobedience up, but gosh, in view of this new provision in the School Act, maybe we shouldn't introduce this to the students. Maybe we shouldn't talk about it this year because we're going to hear from the superintendent or we're going to hear from the Department of Education." That's the most insidious, absolutely the most insidious form of censorship.

If we want our youth to be denied a robust, vigorous social studies program, if we want to ensure that they're not exposed to this entire rich world of experience and philosophies and religions and schools of thought and views of the world, if we want to prevent them from accessing all of that richness of life in the world around us, then this would be the bill and this would be the section to do it. These young people deserve better, frankly, Mr. Speaker. They deserve a whole lot better. I'd like to think that the Minister of Education, given his comment that he doesn't want to deny Alberta school children exposure to the writings of Dr. Martin Luther King and a host of other people -- then I'm hopeful that he'll do an amendment to be able to address that.

Just quickly moving on, I want to deal with the elimination of the Board of Reference. On March 25 the Minister of Education said that this was about elimination of duplication and a simple case in the labour relations process. Well, Mr. Speaker, the short answer to that is that you do those sorts of things with consultation with the people that are going to be affected. You don't do it arbitrarily, and you don't do it unilaterally. It's this kind of insensitivity, it's this lack of communication and dialogue that makes labour relations more difficult.

I can scarcely believe that the provincial government would operate in such a bone-headed fashion -- collectively referring to the government, Mr. Speaker, not referring to any member -- that my provincial government and Department of Education would act in such a bone-headed fashion that they would throw gasoline into the always explosive chemistry of labour relations. It just strikes me as being incendiary without cause, without reason, and I know that the Minister of Labour's uncomfortable with it too. I share his concern. I share his concern, and I know that there's still an opportunity. There's still a wonderful opportunity for this government . . .

5:20

MR. SMITH: Point of order, Mr. Speaker.

THE SPEAKER: Point of order. The hon. Minister of Labour. Citation please.

### Point of Order Imputing Motives

MR. SMITH: Thank you, Mr. Speaker. Twenty-three(h), (i), and (j), imputing false motives. He said that I have concern about this area approaching the labour relations network and the fine system that is structured in Alberta, given the Labour Relations Board which has a membership of 33 members as well as three vice-chairs. There has been an eminent history of problems solved with alacrity and dispatch in the Labour Relations Board system. Both people from the labour community, organized labour and nonorganized labour, have used those facilities as well as employers who are organized and employers who do not have collective agreements.

So, Mr. Speaker, clearly when the member says concern, it does not apply to me, because I have great confidence in the system. I am very proud of the contribution that this makes to a better labour relations environment in this province.

THE SPEAKER: On this point of order, the hon. Member for Calgary-*Buffalo*.

MR. DICKSON: Mr. Speaker, I hadn't realized he was wearing his rose-coloured glasses this afternoon. I'm entirely sorry. I thought I heard his contribution from his seat that he also shared concern. If he doesn't, I'm happy that he's had an opportunity to set the record straight.

THE SPEAKER: You may continue with your debate.

### Debate Continued

MR. DICKSON: Thank you very much, Mr. Speaker. The really interesting part to me was on March 25 when the Member for Peace River, who worked so hard on his regulatory review -- when we learned that the regulatory review only dealt, when it came to the Board of Reference, with the payment of fees and the cost of 10 members of the board. I'd always thought -- this was a real revelation to me -- that the Member for Peace River was reviewing the whole scope of regulations. Now we discover, as a result of the revelation from the Minister of Education on March 25, that that review is nothing broader than looking at the payment of fees. Pretty concerning.

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

THE SPEAKER: The hon. Member for Medicine Hat.

MR. RENNER: Thank you very much, Mr. Speaker. I've been listening with great patience and interest to the Member for Calgary-*Buffalo*. I'm sure in his other life the member was capable of arguing that black is white and doing so quite eloquently. I would like to address a number of points that the member made with respect to the whole issue in section 3 and the nature of beliefs of Albertans in honouring and respecting common beliefs and also with respect to a number of comments that he made regarding refraining from fostering doctrines of racial or ethnic superiority.

More importantly, I would also like to have an opportunity to discuss some of the important issues that were raised with me over the past few days with teachers from the Medicine Hat constituency regarding the Board of Reference. To do that, Mr. Speaker, will require substantially more time than we have available, and I would like to be able to organize my thoughts in a cohesive, coherent manner. Given that there's very little time left, I would like to move, then, that we adjourn debate.

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

SOME HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

THE SPEAKER: The motion is carried.  
The hon. Deputy Government House Leader.

MR. RENNER: Thank you, Mr. Speaker. I would like to move that we call it 5:30 and the Assembly adjourn until 8 o'clock this evening when we will reassemble in Committee of Supply.

**Speaker's Ruling**  
**Motions to Adjourn the Assembly**

THE SPEAKER: I'm afraid, hon. Deputy Government House Leader, that the motion's out of order. If the hon. member would refer to *Beauchesne* 465(9), 465(9) is very clear. It says, "A Member who has moved or seconded the adjournment of the debate cannot afterwards . . . rise to move the adjournment of the House."  
The hon. Minister of Labour.

MR. SMITH: Thank you, Mr. Speaker. I would move now that we adjourn and report back to the Assembly at 2000 hours this evening.

[The Assembly adjourned at 5:26 p.m.]

