

Legislative Assembly of Alberta

Title: **Tuesday, May 11, 1999** 1:30 p.m.

Date: 99/05/11

[The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon. Let us pray.

Our Father, give to each member of this Legislature a strong and abiding sense of the great responsibilities laid upon us.

Give us a deep and thorough understanding of the needs of the people we serve.

Amen.

Please be seated.

head: Introduction of Visitors

THE SPEAKER: The hon. Member for Highwood.

MR. TANNAS: Thank you. It's a pleasure for me today to introduce to you and through you to members of the Assembly two distinguished gentlemen from the constituency of Highwood. Visiting us today are Mr. Wayne Berglund, who is reeve of the municipal district of Foothills, and Mr. Flores Groeneveld, who is a councillor in division 7 of that municipality. They are seated in your gallery, Mr. Speaker, and I'd now ask them to rise and receive the warm traditional welcome of this Assembly.

head: Presenting Petitions

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

MRS. SOETAERT: Thank you very much, Mr. Speaker. I would like to bring forward a petition signed by 125 people from Edmonton, Sherwood Park, Ardrossan, Neerlandia, St. Albert, and Spruce Grove. 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.

This is again from the SOS parents.

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

MS LEIBOVICI: Thank you, Mr. Speaker. I, too, have a petition to table today. This is a petition supporting public and separate schools and requesting and urging the government

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

This petition is signed by 116 individuals from Calgary: Calgary-Fish Creek, Calgary-North West, Calgary-Foothills, and Calgary-West.

Thank you, Mr. Speaker.

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

MS CARLSON: Thank you, Mr. Speaker. I have a petition with 101 names from Edmonton, Vegreville, Mundare, and Camrose. The petition is an SOS petition 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 Lethbridge-East.

DR. NICOL: Thank you, Mr. Speaker. I have two petitions today. The first is 147 names from Coalhurst, Lethbridge, Picture Butte, Coaldale, Raymond, and Taber. This is from the group supporting the SOS petition, and it reads that they would like to have the government

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 Calgary-Buffalo.

MR. DICKSON: Thank you, Mr. Speaker. I'm pleased to introduce this afternoon a petition signed by 122 Calgarians, mainly in the constituencies of Calgary-Foothills, Calgary-Varsity, and Calgary-Bow, urging the government

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

Thank you.

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

DR. NICOL: Thank you, Mr. Speaker. The second petition is from a group of about 20 citizens of Lethbridge concerned about Bill 16. They would not like to see it passed.

head: Reading and Receiving Petitions

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

MS BLAKEMAN: Thank you, Mr. Speaker. I would ask that the petition that I presented on May 6 regarding education funding levels be now read and received.

Thank you.

THE CLERK:

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

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

MRS. SLOAN: Thank you, Mr. Speaker. I would respectfully request with your permission that the petition I tabled on Monday, May 10, be now read and received.

THE CLERK:

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

head: Notices of Motions

THE SPEAKER: The hon. Deputy Government House Leader.

MR. RENNER: Thank you, Mr. Speaker. Pursuant to Standing

Order 34(2)(a) I'm giving notice that tomorrow I will move that written questions appearing on the Order Paper stand and retain their places with the exception of Written Question 217.

I'm also giving notice that tomorrow I will move that motions for returns appearing on the Order Paper stand and retain their places.

head: Tabling Returns and Reports

THE SPEAKER: The hon. Member for Whitecourt-Ste. Anne.

MR. TRYNCHY: Thank you, Mr. Speaker. I wish to table five copies of a letter that I wrote to clarify effective representation as outlined by the media.

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

MS CARLSON: Thank you, Mr. Speaker. Today I have two tablings. The first is from my good friend Webb Dussome, who states that as an Albertan and a parent he sees "the Natural Heritage Act (if implemented as is) as a threat to the future of wilderness and biodiversity in Alberta."

The second is to the Premier from Rob Story from Calgary, who states that he wishes to add his voice

to the many who are strongly opposed to this extremely short-sighted, ill-conceived, and insulting attempt, by what is supposed to be [his] government, to rob Albertans, and the world, of more of our environment.

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

MR. BONNER: Thank you, Mr. Speaker. I have two tablings today. One is from Dr. Tracey Henderson, and the other is from Ms Judi Vandenberg. Both of these petitions are urging this government to voice concerns against the Natural Heritage Act.

Thank you.

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

MRS. SOETAERT: Thank you very much, Mr. Speaker. With your permission I have two tablings. One is the required number of copies of a petition signed by 98 citizens, physicians, and registered nurses urging the Legislative Assembly to amend Bill 24 "to legislate the compulsory wearing of bicycle helmets for all Albertans of all ages."

The second one is a copy of a letter from Spruceland Insurance and financial services requesting amendments to Bill 25.

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

DR. MASSEY: Thank you, Mr. Speaker. I'd like to file five copies of a letter to the Minister of Education from the chair of the Grimshaw-Berwyn parent advisory council raising their concern over the shortage of funding for public education and outlining their concern of a science teacher "trying to raise funds to make his 'core' program as similar in quality to the urban schools." It was the basis on which I raised the question in the House last Thursday.

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

MRS. SLOAN: Mr. Speaker, I'm rising today . . . [interjections]

THE SPEAKER: The hon. Member for Edmonton-Riverview has the floor.

MRS. SLOAN: Thank you. Mr. Speaker, I rise to table five copies of a petition signed by physicians and registered nurses in Alberta and health professionals petitioning the "Legislative Assembly to amend Bill 24: Traffic Safety Act to legislate the compulsory wearing of bicycle helmets for all Albertans of all ages." These are professionals working within our acute care system here in the city of Edmonton.

Thank you.

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

MS LEBOVICI: Thank you, Mr. Speaker. I have two tablings this afternoon. The first is a copy of a resolution that's submitted by the Alberta Fire Chiefs Association, region 2, wherein it says, "Be it resolved that the A.F.C.A. voice its concern to the Provincial legislature and request an amendment to Bill . . . 22 to exclude the certification requirement of FMRs," which are fire medical responders.

Thank you.

1:40

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

MR. WICKMAN: Thank you, Mr. Speaker. I have a tabling as well that involves a number of signatures that are stating:

We the undersigned citizens; physicians and registered nurses of Alberta petition the Legislative Assembly to amend Bill 24: Traffic Safety Act to legislate the compulsory wearing of bicycle helmets for all Albertans of all ages.

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

MS BARRETT: Mr. Speaker, thank you. I'm tabling five copies of an e-mail that I received yesterday afternoon from a grade 11 student in Coronation, Alberta. It seems he went to the Forum for Young Canadians, met Preston Manning, and was lamenting about the conditions at his school, losing courses and teachers. Preston Manning suggested that he contact me, which he did, and I'm glad.

MS EVANS: Mr. Speaker, today I'm pleased to table the appropriate number of copies of additional responses to questions that are outstanding from the designated supply subcommittee of March 29.

THE SPEAKER: The hon. Member for Highwood.

MR. TANNAS: Thank you, Mr. Speaker. I'm tabling the required copies of the government's important announcement that Alberta's Whaleback montane is now fully protected, free of industrial development under Alberta's special places program. Over 70,000 acres of nationally significant landscape are now protected as the Bob Creek wildland park and the Black Creek rangeland park. This is in the constituencies of Livingstone-Macleod and Highwood.

As announced by the Premier and ministers of . . .

THE SPEAKER: Hon. member, this is not time for ministerial statements. It's time for tablings. Let's move on.

The hon. Member for Calgary-*Buffalo*.

MR. DICKSON: Thank you, Mr. Speaker. I have two tablings this afternoon. The first one is a copy of nine amendments which the Official Opposition is putting forward to Bill 37, the Freedom of Information and Protection of Privacy Amendment Act.

The second one, Mr. Speaker, is a message from 61 physicians and registered nurses in the province of Alberta, urging the Assem-

bly "to legislate the compulsory wearing of bicycle helmets" for Albertans of all ages.

head: Introduction of Guests

THE SPEAKER: The hon. Member for Calgary-Fish Creek.

MRS. FORSYTH: Thank you, Mr. Speaker. I'd like to introduce to you and through you two guests that are sitting in the public gallery. The first one is Diane Leinweber, who is the office manager from my office. The second one is a young lady by the name of Adrienne Beck, who is my new STEP student. We hire a STEP student every year in Calgary-Fish Creek, and I welcome her to our group. I'd like to ask them to stand and have the warm traditional welcome from the Assembly.

MR. JONSON: Mr. Speaker, this afternoon I wish to introduce to you and through you to members of the Assembly 63 grade 10 students from Ponoka composite high school. They are accompanied by teachers Mr. Ron Labrie and Mr. Brady Teeling and parent helper Mrs. Betty Lee. They're in the members' gallery. I request that they stand and receive the traditional welcome of the Assembly.

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

MR. LANGEVIN: Thank you, Mr. Speaker. It is my pleasure today to introduce to you and through you to all members of the Assembly five visitors from Lakeland county. They include Debra Lozinski, reeve; Mr. Alex Broadbent, deputy reeve; Robert Richard, a councillor; John Leskiw, chief financial officer; and also Mr. Glen Shanahan, financial officer. They're seated in the public gallery. I'd like to ask them to please rise and receive a warm welcome.

THE SPEAKER: The hon. Minister of Community Development.

MRS. McCLELLAN: Thank you, Mr. Speaker. Today I have the privilege of introducing two groups to you. The first group that I'd like to introduce to you and through you to members of the Assembly is the Korean delegation of the Alberta/Kangwon friendship sport exchange. This year is the 25th anniversary of the twinning of Alberta and Kangwon provinces, and I'd like to inform all members that for over two decades we have enjoyed an exchange of sport, friendship, and culture.

This year's sport exchange is volleyball, Mr. Speaker, and the Kangwon women's volleyball team has just arrived in Alberta for a 10-day visit. They'll be playing a number of games across the province. They played the first one this morning, I understand, at J. P. Wagner, and I understand the Kangwon girls' volleyball team was successful in that game.

I'm pleased to have them join us today, and I'd ask if they would stand as I introduce them: the leader of the delegation, Mr. Shin; Mr. Park, who is a senior officer with the Kangwon provincial government; Mr. Jang, chairman of the Kangwon province volleyball association; Mr. Nam, head coach; and Mr. Jung, from the Kangwon girls' high school. We also have with us Alberta Volleyball Association representative Colleen Venne and Alberta Community Development representatives Pat Lechelt and Cam Berwald. Mr. Speaker, I would ask our members to give these visitors a very warm welcome to Alberta and to our Legislature.

Also, Mr. Speaker, seated in the public gallery are members of the executive of the Junior League of Edmonton. The Junior League of Edmonton is a group of women volunteers that are celebrating 70 years of service to their communities. Present today is Mrs. Cathy

Lewis, president of the Junior League of Edmonton. Mrs. Lewis is accompanied by her son Delbert Lewis, who is celebrating his ninth birthday today. We also have Carol Bentley, secretary; Shelley Svidal, public relations councillor; Michelle Cook, incoming program councillor; and Wendy King, incoming placement chair. I would ask these wonderful volunteers to rise and receive the very warm welcome of this Assembly, and a happy birthday.

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

MR. AMERY: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to members of this Assembly 12 grade 6 students from the Calgary Islamic school located in the constituency of Calgary-East. Accompanying the students is their teacher, Miss Angela Mentis; volunteer helper Miss Samah Aburashed; parent Mrs. Nouhad Zeineddine. They were driven by Mr. Abdelaziz Farage. They are seated in the public gallery. I would ask them to rise and receive the warm welcome of the Assembly.

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 Mr. David MacMartin, a director with Canadian Pacific railroad, by the way, whose head office is in Calgary as well. Mr. MacMartin has played a key role and continues to play a key role in the development of our transportation policy for both Alberta and for Canada. He is seated in the members' gallery, and I would ask that he rise and receive the usual warm welcome of this Assembly.

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

MS BARRETT: Thank you, Mr. Speaker. It's a pleasure for me to introduce some visitors today, 55 in total, from the Chinese senior citizens' centre. Many of them in fact reside at the Chinese Elders' Mansion very near downtown Edmonton. They're accompanied today by group leaders Mrs. Josephine Nhan and Mr. Louis To and as well by eight volunteers. First I would ask them to rise, and then in their own language thank them for being here [remarks in Chinese] and ask members to give them a warm greeting, please.

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

DR. OBERG: Thank you very much, Mr. Speaker. It is a true honour and privilege I have today of introducing to you and through you two ladies that I have a very deep amount of respect for. I would ask Chief Darlene Yellow Old Woman-Munro and Councillor Ruth Scalp Lock to please stand and receive the warm welcome of the Legislative Assembly. Darlene is the chief of the Siksika Nation in southern Alberta.

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

DR. MASSEY: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to members of the Assembly Alain Campea. Alain is a student at Austin O'Brien high school and joins us this afternoon to watch and listen to question period. With your permission I'd ask Alain, who is in the members' gallery, to stand and receive the traditional welcome of the Assembly.

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

1:50

MS OLSEN: Thank you, Mr. Speaker. I'd like to introduce to you and through you and to all members of the Legislative Assembly a

very good friend of mine from Victoria, British Columbia, Tia McDiarmid. If she'd please rise and receive the warm welcome of the Assembly.

head: Oral Question Period

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

Education Funding

MRS. MacBETH: Thanks, Mr. Speaker. The petition is a means for concerned citizens to join with others in getting government's attention and asking that government address a public policy issue. Public school supporters have witnessed the relentless lobbying by private school supporters and have watched as those grants have increased by 60 percent over the past seven years. Now over 11,000 citizens from every corner of the province have asked the provincial government to fund public and separate schools, recognizing contract settlement, technology, new curriculum, and aging building costs. My questions today are to the Minister of Education. What is the government's response to these 11,000 and counting Albertans?

MR. MAR: Thank you, Mr. Speaker. I wanted the opportunity, first of all, to give a quick response in accordance with my undertaking yesterday to look into the matter of Jennie Elliott school, which the Leader of the Opposition raised yesterday. Yesterday I stood in this House and I said that the opposition had told half the story on a number of these schools that they have raised as a matter of course over the last few weeks. It turns out that perhaps I was being a bit generous in saying that it was half the truth being told.

The Calgarians who have their kids go to Jennie Elliott school and Albertans throughout the province should not be misled into thinking that there is not an appropriate amount of money being spent on education. With respect to Jenny Elliott school, sir, the fact of the matter is that there are 260 students at a school that has a capacity for 600. So, Mr. Speaker, for those 260 students they have two caretakers and one part-time cleaner. The Calgary board is looking at this particular school because of the low utilization rate and the relative high cost of maintenance in that particular school. So let me repeat: this is a facility of 600 where 260 students are in attendance.

With respect to the Leader of the Opposition's question today, Mr. Speaker: do we pay attention to these names on petitions? Of course we do. Are we concerned about education? Of course we are.

Mr. Speaker, we have put together a reasoned response to many of these calls for more money in education. We have not only reinvested money up to this point, but now a new investment takes place between now and the year 2001 and it is \$600 million, a significant amount of money. Our budget will go over a three-year period from \$3.14 billion to \$3.74 billion. That is a 19 percent increase over three years. If you take into account the last three years as well, it is a 36 percent increase over a six-year period. That is far greater than the rate of inflation and the rate of growth of the number of students put together.

MRS. MacBETH: Mr. Speaker, we'll get back to the question. Will the Minister of Education be making a recommendation for increased support for public and separate schools based on the opinion of these 11,000 Albertans who have signed the petition?

MR. MAR: Mr. Speaker, even the Leader of the Opposition herself

was heard to say: it's simplistic to talk only about dollars; I don't feel it's a question of money. Well, we are investing money in education. The Leader of the Opposition knows that. I think Albertans ought to know that we do place a great priority on people development in the province of Alberta. So we ought not be misled into thinking that there is not an appropriate amount of money being spent on education.

We always have committed that wherever there are pressure points we would deal with them. We have done that. Mr. Speaker, we will always continue to do that, but we must say in the words of the Premier: how much is enough?

MRS. MacBETH: So in other words, Mr. Speaker, he doesn't know what to do.

How many citizens need sign the petition to get this government to pay attention to public education?

MR. MAR: Mr. Speaker, our colleagues are throughout this province in their constituencies all the time dealing with real issues, but just like the boy who cried wolf, as the Leader of the Opposition is doing, it's very easy to discount the comments made by the Leader of the Opposition and members of her caucus, because we want to deal with real issues in education. We don't want to deal with fictional ones. We don't want to pick apples out of a barrel and see that there are some that are blemished and conclude that the entire barrel is rotten. The fact is that we have a good education system that is sometimes excellent.

Mr. Speaker, it is easy to ignore the comments being made like this when people on the side opposite are trying to erode public confidence in an outstanding education system.

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

Special-needs Education

MRS. MacBETH: Well, thank you, Mr. Speaker. Let's move to some real issues. Special-needs students and their families across the province are seeing their future and their hope undercut by their own government. With site-based management in schools, administrators and parent advisory councils are very hesitant to divert scarce classroom resources away from the majority of students to ensure a proper education program for students with mild and moderate special needs, not severe but mild and moderate special needs. My questions, then, are to the Minister of Education as well. Do the recent funding announcements in the budget ensure that school boards across the province will now have the resources to provide appropriate education programs for students who do not qualify for severe special-needs funding?

MR. MAR: Mr. Speaker, I think that this is a legitimate question. I think that as I've traveled to schools and visited with school boards throughout the province of Alberta, the issue of special-needs students, both mild and moderate as well as severe disability students, is an issue that continues to come up. We have responded, first of all, in all areas with the exception of some of the severe behavioural special-needs students with an increase in funding that commenced September 1 of this school year. Both in the area of mild and moderate and severe disabilities funding went up by 30 percent. That has addressed the needs of many students. Is it perfect yet? No.

One of the concerns that's been raised by school councils and by school boards is the issue of making sure that the money that is

allocated for mild and moderate students in fact gets to mild and moderate students. Mr. Speaker, my expectation is that school boards will in fact spend the money in those areas that it is allocated to. For the first time we are asking school boards to account for the money so that money that is allocated for mild and moderate students is in fact demonstrated by school boards to be spent in those areas. That also should help alleviate the concerns that are raised by the Leader of the Opposition.

MRS. MacBETH: Mr. Speaker, will the funding announced by the minister in the budget finally allow for children with multiple mild and moderate disabilities to receive the severe special-needs funding?

2:00

MR. MAR: Mr. Speaker, our response to the issue of those students that have multiple disabilities is that we do have to co-ordinate our services within government better. There are a great number of programs that are contained not only within the ambit of school boards but also regional health authorities. What we have to do in my strong opinion is co-ordinate so that we can match the needs of those students with multiple disabilities with the programs which may be provided, whether it's through a regional health authority or a school board or Family and Social Services, whatever the case may be.

So, Mr. Speaker, we will not be increasing the number of dollars beyond what has already been announced in our budget. However, we will undertake every effort to ensure that there is a better co-ordination of those services so that students who are at risk in fact receive resources and programming that will deal with their needs.

MRS. MacBETH: So no funding. Thank you for answering the question.

Thirdly, on behalf of a very dedicated principal at Calgary's Janet Johnstone school, Mr. Speaker, when will the government be lifting the cap that it has in place on Calgary board of education special-needs funding so that the 1,000 special-needs children who are going without proper instruction will finally be helped?

MR. MAR: Mr. Speaker, as I indicated, we are attempting to better co-ordinate our services. I wouldn't want people to be left with the impression that in all cases of special-needs students there has not been an increase in the funding. As I said earlier on, there's a 30 percent increase in the per capita funding for each eligible special-needs student. However, I wish to point out that as I indicated earlier, in some of the cases of severe behaviour disability students, we have placed a cap based on the 1998 incidence levels.

Mr. Speaker, that's something that I'd be prepared to review in the future. However, we think that we've directed our resources, our dollars to special-needs students in the area where they will have the greatest amount of impact. Until we have time to evaluate whether our programs are in fact working in terms of funding the types of programs that school boards operate, it's premature to be saying that the incidence rate needs to be increased.

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

Property Taxes

MR. GIBBONS: Thank you, Mr. Speaker. Alberta's rural municipalities have been looking for a stable, long-term, predictable funding framework from this provincial government, but all they seem to get from this government are committees that promise more

and more studies rather than taking action. After two years of consultation the farm assessment review committee has prepared a report that defers many decisions on issues of taxation and assessments which are of fundamental importance to rural Alberta. My questions are to the Minister of Municipal Affairs. How much longer is this government going to create uncertainty in rural Alberta regarding funding arrangements to support critical local services?

MS EVANS: Mr. Speaker, in '95 and '96 a significant amount of consultation was done in rural Alberta on the matter of rural and farm assessment. As a result of that consultation, when I assumed this portfolio, there was absolutely no agreement by the participants. Fifty percent said one thing, and 50 percent expressed a diametrically opposite point of view.

Mr. Speaker, in the last two years we have done continued consultation with the industrial players, with the farm assessment folks. We are still receiving information from a number of groups that report to the standing policy committee. At the same time, while we have an educational property tax review, it would seem wise to take all components of the property tax picture, look at them together, and address them simultaneously and in sequence.

So, Mr. Speaker, releasing the most recent discussion paper was an attempt to respond to those Albertans, showing them what they had illustrated. If the hon. member looks inside that report, there are a number of references not only to farm assessment but to the education property tax assessment, and it would seem that it would be remarkably simpler to look at them all together.

MR. GIBBONS: To the same minister: how much did it cost Albertans for this committee to engage in a two-year project that seems to be leading nowhere?

MS EVANS: Well, Mr. Speaker, I don't think this government has ever complained about consultation with Albertans. We did not take fancy consultants; we used our own hon. members to go out and speak with the various groups. I don't know exactly the dollar fee, but I will go and make sure I provide that and table that at a future date.

Mr. Speaker, I think I'd like to make one more comment. I'd like to know if the hon. member has a particular point of view that he would like to share on just exactly how much consultation is required when we have people that are diametrically opposed, on both sides of the fence on this issue.

MR. GIBBONS: To the same minister: how long will rural Albertans have to wait to see the final recommendations from the farm property assessment review committee? Two years, three years, after the next election, or what minister?

MS EVANS: Mr. Speaker, I think that the most important thing is to not assume that when you get into the position of ministering a portfolio, you're doing it on a racetrack. You are doing it, in effect, to try and get the answers correct. In the last two years we have had a number of municipalities bring forward some property tax issues. While we have constituents that have not agreed on the various components of the tax, while we have just recently seen the effects of a business tax leveled at farm communities for intensive livestock, we've got a number of those components along with the three municipalities that have finally completed moving to market value assessment.

Mr. Speaker, I do not undertake the process of reviewing assessment of property tax lightly. I think the most important question is not how long it's going to take but what interest this government has

in getting it right. Our caucus and our Premier believe in working to get it right.

THE SPEAKER: The hon. leader of the ND opposition, followed by the hon. Member for Red Deer-South.

Education Funding (continued)

MS BARRETT: Thank you, Mr. Speaker. I see today that the Education minister has taken a leaf out of the Premier's book, because whenever they're asked about education funding, the Premier says: how much is enough? Now the Education minister is saying it. Well, I happen to know that the Edmonton public school board told some government members two weeks ago that a 6 percent onetime increase in their base per pupil funding would be enough. That's the equivalent of less than a loonie per day per child, and it would bring the funding back up to the precuts level of 1993 and earlier. So I'd like to ask the Minister of Education why he continues to say that the budget that he's offering is enough when the Edmonton public school board has made it very clear to him and members of his caucus that \$24 million extra would do the trick.

MR. MAR: Well, Mr. Speaker, I would remind the hon. leader of the third party that even Bauni Mackay, the president of the Alberta teachers' union, said that a 3 percent increase in the basic instructional grant would make her euphoric. Well, we've gone beyond that. We have made increases beyond the 3 percent in the basic instructional grant. It will be increased this year by 3 percent, it will increase next year by a further 2 percent, and it'll increase the year after that by a further 2 percent, that on top of additional money that we've put into areas such as our early literacy program, English as a Second Language, teacher aide program. Again when you add it all up, it turns out to be a 19 percent increase over the next three years. Nobody would suggest that that is an insignificant amount of money.

Mr. Speaker, the hon. leader of the third party made reference to the conditions of budgets back in 1993. I would remind the hon. member that we do have a significantly different system now than we did back in 1993. Under the previous Minister of Education significant efforts were made to reduce the amount of administration to make sure that we focused our dollars on classroom resources. We went from 181 school boards down to 60. So it's not appropriate to compare the 1993 dollars with the way they are today, because it is a different system.

We can say with confidence today, Mr. Speaker, that three-quarters, three out of every four dollars that we spend on education, is devoted to classroom resources and not to administration and not to governance. I think that is an achievement we should be very proud of. It places the focus exactly where it ought to be, which is in classroom resources.

MS BARRETT: Well, Mr. Speaker, Bauni Mackay didn't inherit millions of dollars of deficits because of this government's budget-cuts.

If you average it out, the loonie a day or slightly less than that on average would come to about \$168 million extra that should satisfy the needs of all school boards in this province. Why won't the minister tell us once and for all why he won't do that?

2:10

MR. MAR: Well, Mr. Speaker, keep in mind that the hon. member is citing the needs of one particular school board out of 60. We have done significant consultation with frontline deliverers of educational

services in the province. I met with school boards throughout Alberta. Again, to go from \$3.14 billion to \$3.74 billion is a significant jump. Perhaps if we did as suggested by the leader of the third party, there would be increased demands beyond what she is suggesting. So it is attempting to strike a balance between making sure that we are fiscally responsible but also making sure that we do have an appropriate amount of funding in our education system.

Mr. Speaker, just on the instructional grant rate, again I'll say this and conclude with this remark. We are increasing the instructional grant rate by 7 percent over the next three years: 3 percent, 2 percent, and 2 percent. We think that is an appropriate increase.

MS BARRETT: Well, Mr. Speaker, this government constantly wants to talk about accelerating tax cuts for the wealthy. I have an alternative proposal, and that is this: why doesn't the Minister of Education accelerate the increase in funding to education by 5 percent next year, which would take care of the problem that all of these school boards are looking at?

MR. MAR: Well, Mr. Speaker, this outlines the very problem that we have to deal with: another request for an increase in education, which is what we have to deal with all the time. Our response is a measured response, it's a reasonable response, and I'd point out, it is a sustainable response. It cannot be the case where we would increase funding in a particular year in a way that wasn't sustainable only so that we would have to reduce it in some future year. We can't do that.

So, Mr. Speaker, going with a reasonable amount of increase on a year-to-year basis makes sense. We think that 3 percent, 2 percent, and 2 percent increases are reasonable, and then combined with all the other areas that we've increased funding in, it turns out to be 19 percent over three years, again greater than the rate of inflation, greater than the rate of growth of students put together.

THE SPEAKER: The hon. Member for Red Deer-South, followed by the hon. Member for Edmonton-Riverview.

Tradespeople's Training

MR. DOERKSEN: Mr. Speaker, my questions today are for the Minister of Advanced Education and Career Development. My first question is: what actions is the minister taking to ensure that Alberta has a continuing supply of skilled tradespeople?

MR. DUNFORD: Mr. Speaker, it actually starts in the schools. Our department is a strong supporter of the CTS program, career and technology studies, that the Department of Education has implemented. We've also moved the apprenticeship program into the schools with our registered apprenticeship program. We have Careers: the Next Generation. Now, as we move into adults, I'd like to remind all members of the House that as we speak today, with 9 percent of Canada's population, which Alberta represents, we're currently training about 20 percent of the apprentices in all of Canada. That actually totals more than 30,000.

Industry has shown us as well as interested members within this House that we're still not doing enough. So to that end, recently I announced \$5.7 million worth of funding that would go into the apprenticeship system. Although I'm never sure how we get these numbers, we're claiming that with those dollars, Mr. Speaker, we're adding 2,133 seats to the postsecondary system for apprentices.

MR. DOERKSEN: Also to the same minister: would the minister explain what factors were used to determine the allocation of the funding to the respective colleges?

MR. DUNFORD: Mr. Speaker, an announcement involved 10 postsecondary institutions, and there quite frankly was quite a range in dollars that went to the various institutions that were mentioned. I want to, though, indicate not only to the hon. member but to all members of this House and of course to the Alberta public in general that we try to respond to specific needs in specific areas. We did this through our access fund, wherein we accept proposals for expansion to the system, so it was done through that means.

MR. DOERKSEN: Again to the same minister: what programs are available to assist apprentices who leave their jobs for an extended period of time to take the required courses?

MR. DUNFORD: Well, there's no question, Mr. Speaker, that based on the old way of doing things under the Unemployment Insurance Act, there was some direct assistance for apprentices when they moved into the postsecondary system. However, with the new Employment Act it has created some situations which we have had to try and deal with. First I might mention that employment insurance will still continue after a two-week waiting period when the student is in the postsecondary system. So we have a two-week gap there that the government of Alberta has tried to fill in a system that we call the skills, grants, and loans program.

Then of course in many cases there are additional living costs, because the postsecondary institutions are primarily in urban areas, and we have such a dramatic and dynamic economy here in Alberta that certainly there are pressures on housing within the particular province. So when we get a situation where an apprentice has to come from perhaps a primary rural area into a large urban area, then we have to look at assistance in living costs as well.

THE SPEAKER: The hon. Member for Edmonton-Riverview, followed by the hon. Member for Little Bow.

Adoptions

MRS. SLOAN: Mr. Speaker, the Minister of Family and Social Services admitted last year that he was less than proud of his government's record on adoptions. The same minister today appears to be off-loading the responsibility for adoption as fast as he possibly can to children's authorities, who will be ill-equipped to solve the complexity of problems the government could not. While their government parent passes the ball, thousands of children sit in permanent guardianship limbo. My questions are to the Minister of Family and Social Services. What is the minister's vision of an accountable framework for the adoption of children in the care of this government?

DR. OBERG: Thank you very much, Mr. Speaker. First of all, I must say that the adoption is staying centrally so that the . . .

MRS. SLOAN: Only international.

DR. OBERG: No, actually not. The adoption services are going to be staying centrally, Mr. Speaker. That's a very important element of what we're doing. The child and family service authorities will be delivering the programs. Policy decisions and director of adoptions will all be retained centrally.

Mr. Speaker, the hon. member has asked me what my vision is for adoptions. First of all, I think that children who are put up for adoption have come from a very difficult circumstance. What I would envision for them is that they are put into a healthy, normal

family so that they can grow up and realize their full potential in Alberta.

MRS. SLOAN: Mr. Speaker, to the same minister: how are the underfunded and many yet nonoperational children's authorities going to find permanent homes for children when the government could not?

DR. OBERG: Mr. Speaker, first of all, the reason for having the child and family service authorities was to get closer to the community, to get closer to the people, to get closer to the houses, the homes that will be providing these adoptive families. I am fully confident that the child and family service authorities will do a better job. Obviously, as I said in my first answer, we will be there to support them.

This is a huge impetus on our part. We started the Forever Homes initiative, which is a push towards adoption so that when a child is taken into care, when he's taken out of his home, he can look forward to moving to a forever home as opposed to staying in a temporary foster home.

MRS. SLOAN: Thank you, Mr. Speaker. How many children under permanent guardianship would be represented by the ministry's 6 percent adoption target for 1999-2000?

DR. OBERG: Mr. Speaker, I don't have that figure in front of me. Again, as I said yesterday, 6 percent is not something that I'm particularly proud of. We presently have roughly 4,000 to 4,500 children in care, so I guess if you take 6 percent of that, you're looking at 240, in that range, providing my math is correct, which I'm not guaranteeing it is.

2:20

Mr. Speaker, again, that is not something I'm proud of. What I would prefer is to see a 100 percent figure. By putting that percentage in our business plan, by moving it forward, I feel that I'm putting pressure on my department to excel in adoption, and that's what we're trying to do.

THE SPEAKER: The hon. Member for Little Bow, followed by the hon. Member for Spruce Grove-Sturgeon-St. Albert.

Student Finance

MR. McFARLAND: Thank you, Mr. Speaker. Over the past six months a number of student constituents in Little Bow have contacted my office to indicate that they might be discouraged from pursuing postsecondary education because of rising tuition costs and cost of living. My question today is to the Minister of Advanced Education and Career Development. Mr. Minister, what is the Alberta government doing to ensure that the cost of postsecondary education is not prohibiting capable students from pursuing their goal?

MR. DUNFORD: Mr. Speaker, we've been, I think, quite public about trying to improve the scholarship and bursary programs here in Alberta. We took an initiative as a provincial government last year with our announcement of the Alberta opportunity bursary.

I'm pleased to say and I'm sure all the members in the House are aware that Alberta has now come to an agreement with the Canada Millennium Scholarship Foundation whereby there'll be \$265 million moved into Alberta over the next 10 years that will be directed toward financially needy students. So we are trying to respond in that sense.

I think anyone here that's reasonable would acknowledge that there is certainly more to do, and we call upon all Albertans and particularly the private sector, the public sector, the third sector to get more involved with us on the bursary end of things.

MR. McFARLAND: Thank you, Mr. Speaker. My second question seeks clarification from the same minister. Is this program designed for those students in financial need, or is it a scholarship based on grades?

MR. DUNFORD: Mr. Speaker, at a meeting last week, as a matter of fact, the interpretation of scholarship was raised and put on the table. I'm not going to quibble with the foundation as to what they want to call their program, but we must make it very clear, then, to all members of this House and to the Alberta public that what we're talking about here is financial need. It is based on the financial need of the student.

Perhaps for more information members of this House and again the public might be interested in the web site for more information. We have www.millenniumschorships.ca. Perhaps for questions that would have to provide more than the time allotted, more information could be gathered.

MR. McFARLAND: Thank you. My final supplementary to the same minister, Mr. Speaker, so that I might respond to my constituents: will this program allow students who are academically and athletically inclined to benefit by applying for this Canada millennium scholarship?

MR. DUNFORD: There would be conditions, in answer to that particular question, because again the Alberta opportunity bursary and the Canada millennium scholarship are based on financial need. So if you had a top athlete and a top scholar who were also in financial need, then either of these would come into play for the person.

It's a very simple administration, by the way, Mr. Speaker, to the hon. member. It's simply a matter of going to the institution of choice, applying for a student loan, and if you are considered to be eligible for a student loan, then either the Alberta opportunity bursary in the first year or the Canada millennium scholarship in the second, third, and fourth years will kick in.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert, followed by the hon. Member for Edmonton-Mill Creek.

Secondary Highways

MRS. SOETAERT: Thank you, Mr. Speaker. The development of northern Alberta depends on solid infrastructure. Lumber, gas, oil, tourism, and agriculture depend on a good highway system. The riches taken from the north should translate into solid benefits for the region. My questions are to the minister of transportation. Why won't the minister listen to the town of High Prairie and the MD of Big Lakes and finally finish paving the 30 miles of highway 750 from Red Earth to High Prairie?

MR. PASZKOWSKI: Thank you, Mr. Speaker. Certainly everything that was mentioned by the hon. member is very, very true. The resources of the north, the harvesting of the resources are a critical part of our economic development and will remain part of a critical part of our development.

It's interesting to note that the hon. member has alluded to a road that's the responsibility of a municipality. It's not a provincial

responsibility. The province looks after primary roads. Secondary roads and rural roads are the responsibility of municipalities. The secondary road network we assist in funding, and we work with the municipalities, depending on what their priority is, and we basically address the number one priority of municipalities. When the municipality identifies that as their number one priority, we assist the municipality in the funding of that priority.

MRS. SOETAERT: My second question to the same minister: would the minister please ensure that his department upgrades highway 754 in the county of Lesser Slave River as it more than qualifies for primary status?

MR. PASZKOWSKI: Mr. Speaker, we're in the process of reviewing our highway network. We're in the process of reviewing our granting formulas with the disentanglement through the Premier's task force that the Premier struck last year.

As far as formulas are concerned, as far as granting is concerned, we are in the process of working with the municipalities to see: do we have the right formula; do we have the right identification of networking in this province? As our economic thrust grows, obviously highways are going to be a key and critical part of that infrastructure, as will railroads, as the guest I introduced earlier this afternoon represents, as will our aviation industry as well. They're all key. They're all part of our economic thrust in this province. It's up to us working together to make sure that they all operate in a successful fashion.

MRS. SOETAERT: Mr. Speaker, my third question: will the minister commit to respect the resolution of the AAMD and C and restore full funding for secondary highways?

MR. PASZKOWSKI: Mr. Speaker, as I have just – just – responded, the whole process of granting and funding is under review. I don't know how to better put it. We are reviewing the process. That is being done with the AMD and C. That is being done with the AUMA. It's being done with representatives from the cities of Edmonton and Calgary as well as other representatives. I don't know how better to answer the question. We are in the process of reviewing that.

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

New School Construction

MR. ZWOZDESKY: Thank you. Mr. Speaker, residents in my constituency who live in or near the Jackson Heights area have spoken to me about the growing need for a new elementary school in that area. At present local area schools are at capacity for their catchment areas. Therefore many kindergarten and grades 1 to 6 students are being bused rather far away from their homes. Now, the Jackson Heights area has experienced phenomenal growth over these past six years, and most residents are families with very young children who do require a new school in their neighbourhood. So I have some questions to the hon. Minister of Education. Will the minister please explain what is the most effective process for my constituents to pursue in this request for a new school in their area? How do they go about doing that?

MR. MAR: Mr. Speaker, school boards develop their own capital plans. That is done through the needs that are established by the local school board, and again it may be on the basis of essential need

for new space, which may be the case in this particular circumstance. Accordingly what makes the most sense for parents who are interested in getting a new school in their area is to approach their local school board trustees – that's the reason why we elect those trustees – and express their needs to those trustees. School boards then will submit their capital plan to the School Buildings Board. The board, which operates at arm's length from the Ministry of Education, will look at capital funding requests pursuant to school board requests from throughout the province.

2:30

MR. ZWOZDESKY: My supplemental is to the same minister. Can the minister please tell us, then, what the specific role is of our provincial government with respect to responding to capital needs requests like this for new schools, and how might we be able to specifically help them?

MR. MAR: Well, Mr. Speaker, our government allocates \$140 million a year to capital for the current fiscal year for capital projects for schools throughout the province. Of that, proposals that are submitted by school boards will be submitted to the School Buildings Board. The criteria that the School Buildings Board will apply are, first of all, health and safety concerns of students and staff; secondly, critical need for new space to accommodate enrollment increases; and the third priority is essential modernization.

All of these projects are subjected to the same set of guidelines. The School Buildings Board will also look at overall utilization rates of school facilities within a school jurisdiction to determine whether or not a new space is required. Obviously, Mr. Speaker, in order to use taxpayer dollars most effectively we have to ensure that we only build new schools where they are required. We cannot have a situation where we are building new schools where some schools may be sitting half empty in another part of the jurisdiction.

MR. ZWOZDESKY: My final supplemental to the same minister: so is it possible, Mr. Minister, then for groups like this who are requesting a new school to access the capital needs fund for new schools, especially in high-growth areas like Jackson Heights, as well as the recently announced school facilities innovation fund?

MR. MAR: Well, Mr. Speaker, perhaps the most interesting part of that question is with respect to the capital innovation fund, and I think that is an important new area that we are delving into by providing money for innovative projects. Very clearly there may be needs in a community that go beyond merely the school. Multi-use facilities are something that we must consider when looking at school construction costs. Innovative projects have come in that we have funded where, for example, a multi-use facility might not only be a school, but also space is provided for a public library, a recreation complex, and a community centre all rolled into one facility. Other examples of innovative use of capital would include developer-built schools.

Mr. Speaker, the actual amount that will be allocated for new schools won't be known until the capital funding plan for 2000-2001 is announced. There is, however, as I indicated \$140 million in total.

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

Civil Mediation Program

MS OLSEN: Thank you, Mr. Speaker. The final report from the justice summit states that alternative dispute resolution will be given top priority in the justice system to save money, time, and give

victims a sense of satisfaction. The report also recommends that Alberta Justice provide adequate resources to ensure program management, accountability, and follow-up of alternative dispute resolution and restorative justice programs such as mediation. My questions are to the Minister of Justice. Given that the pilot program for civil claims mediation has proven highly successful in reducing time to trial and cost of litigation, has the minister set aside funding to continue the program?

MR. HAVELOCK: Well, we'll be releasing our response to the summit on justice final report in the near future, Mr. Speaker. However, I can indicate at this time that we're very impressed with the results of the civil mediation project, and I've instructed the department to look at how we can make it a permanent part of the justice system.

MS OLSEN: Thank you. My second question is to the same minister. Will the minister commit to compensating the professional mediators who have made this program so successful?

MR. HAVELOCK: That's certainly one of the issues that I've asked the department to take a look at.

MS OLSEN: Well, Mr. Speaker, given that the recommendations in the summit report are right from Albertans and they're the ones saying that they want a more cost-effective, accessible justice system, I'm wondering how long the minister thinks these mediators will continue to work for free? So I'm wondering, Mr. Minister, if you'll give a commitment to those people volunteering those hours to pay them for the job they're doing.

MR. HAVELOCK: Well, as I've just indicated, Mr. Speaker, I've asked the department to take a look at how we can make the mediation program a permanent part of the system, and that also includes compensating the mediators. I expect to be having a decision in the very near future as to how that can be accomplished.

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

Seniors' Housing

MR. CAO: Thank you, Mr. Speaker. There are many seniors' housing residences in my constituency. Representing many of his friends, my constituent raised a concern. Given that seniors' incomes are fixed from Canada pension, old age supplement, and Alberta seniors' benefit and their monthly rental is based on 30 percent of their taxable income, my question is to the Minister of Municipal Affairs responsible for housing programs. Could the minister advise those concerned seniors the basis for the 30 percent given that their living costs are increasing?

MS EVANS: Mr. Speaker, on average many of the subsidies that we provide for rental for families with low income relate to about \$200 per, but for seniors the question about calculating the 30 percent that is their responsibility to pay is based on a couple of things. First of all, the total annual gross income received from the Canada pension plan, old age supplement, and the Alberta seniors' benefit are used in the calculation based on the number of seniors within the residence and absolutely all portions of their income.

Mr. Speaker, this is coincidental with the agreement that our government has with the federal government. The actual rent is calculated on the basis of the adjusted income adding all of the components together. The rent geared to income formula is designed to ensure that the dollars that are available for housing and

providing for seniors with needs are available to the maximum number of seniors who have need. This ratio is consistent with that ratio provided in many other provinces in Canada today.

MR. CAO: Thank you, Mr. Speaker. My first supplemental is to the same minister. My constituents insist that the Alberta seniors' benefit is nontaxable, so why is it counted in the 30 percent?

MS EVANS: Mr. Speaker, whether income is taxable or is not considered taxable by that particular resident, all income is used in the calculation of rent. Social housing is based in all provinces on the total household income, and whether or not it is perceived by the recipient to be taxable or not, it is used. Administration of social housing in Alberta is done through the Alberta Housing Act and our social housing regulation that's contained therein.

MR. CAO: Thank you, Mr. Speaker. My second supplemental question is to the Minister of Community Development responsible for seniors' benefit programs. Could the minister advise senior Albertans what assurance there is that any senior who does need help does not fall through the gaps between qualification criteria and between different government programs?

MRS. McCLELLAN: Mr. Speaker, we do have a program in Alberta that is unique in Canada, and I have spoken in this House at every opportunity to inform seniors in this province about the special-needs assistance program. This program has up to \$5,000 a year for eligible needs for seniors.

One of the issues that has arisen is the concern on rental accommodation and housing in general for seniors. A strong economy, which this province enjoys right now, puts pressures in those areas. We have tried to communicate and we've asked all members of this Assembly to communicate with their seniors' population and tell them that there is a special-needs assistance program. We increased the funding in that program this year by \$1 million, Mr. Speaker, to ensure that we can meet those needs.

Communication with seniors is incredibly important. We have also a number of storefront offices. We encourage our MLAs in this Legislature to make sure that seniors are aware of those storefront offices. We also have a 1-800 number, and at the end of that 1-800 number, I should say, is a person, not a push button, press 1, press 2 sort of thing, which seniors don't like, but a person who is versed in all of those programs. They are also versed in the federal programs, on what is available in their communities, Mr. Speaker. We encourage people to use that 1-800 number, to the point where I have said a number of times for all members to make note of it: the 1-800 number is 1-800-642-3853.

Mr. Speaker, these programs are incredibly important to our seniors. Please make sure that all MLAs inform their seniors community.

2:40

THE SPEAKER: Hon. members, in 30 seconds from now I'll call on the first of three hon. members to participate. In the interim might we revert briefly to Introduction of Guests?

HON. MEMBERS: Agreed.

head: Introduction of Guests
(*reversion*)

THE SPEAKER: The hon. Member for Innisfail-Sylvan Lake.

MR. SEVERTSON: Thank you, Mr. Speaker. Today I have the privilege to introduce to you and through you to members of the

Assembly 20 grade 5 students from Spruce View school. They're accompanied by their teacher Linda Snell and four parents. They're in the public gallery, and I'd ask them to rise and receive the traditional warm welcome of the Assembly.

head: Members' Statements

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

Junior League of Edmonton

MRS. O'NEILL: Thank you, Mr. Speaker. I am pleased to rise today to congratulate the Junior League of Edmonton on its 70th anniversary and to tell this Assembly about this very special organization that serves the Edmonton community. The organization was founded in 1929 under the name Junior Hospital League of Edmonton to help Edmontonians in need. Thirty years later the Junior Hospital League joined the Association of Junior Leagues International and became known as the Junior League of Edmonton.

Today it is still going strong with 43 active members and 167 sustaining members, who proudly commemorate 70 years of caring and commitment. The organization has a unique program that unites training and volunteerism, as identified in its mission statement: the Junior League of Edmonton is an organization of women committed to developing its members as effective volunteers to strengthen the community.

Throughout the years the Junior League of Edmonton has determined its charitable projects through research by observing the needs of the community. Some of the outstanding programs include: books for babies; Edmonton's Volunteer Centre; the emergency shelter for women, now known as WIN House; Canadian Native Friendship Centre; and project LEAD. The Junior League teaches leadership and fosters volunteerism through active participation. The organization continues to contribute to the well-being of the capital region and the entire province.

I wish the Junior League of Edmonton many more years of continued success. I also thank the women of the Junior League of Edmonton, past and present, for their commitment to their community and compassion for fellow human beings.

Training is an important initiative of the Junior League. In fact, in February of 1998 I was invited to address the Junior League of Edmonton as a speaker at an advocacy training workshop. The group wanted to learn about effective lobbying and advocacy. What I saw in this remarkable group of women was a genuine commitment to gaining understanding, to finding ways to help others in need, and to developing skills that could be applied to both personal and professional lives.

Thank you.

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

Dutch Elm Disease

MR. WHITE: Thank you, Mr. Speaker. Elm trees grace boulevards in our cities and are an important tree in shelterbelts. There are over 200,000 elms in Alberta, at an estimated value of \$500 million. Last summer the first case of Dutch elm disease was found in Wainwright. One only need look at the devastation in Great Falls, Montana, by this dangerous virus. However, experience in Montana shows that constant monitoring and elimination of deadwood can drastically reduce the effects.

In 1994 the Alberta government started charging for firewood in campgrounds. The same year the Dutch elm beetles and the virus were discovered in Calgary, with subsequent discoveries in Edmonton, St. Albert, Vauxhall, and High River. The disease is thought to have been brought into Wainwright in fire logs. This discovery

would not have been made but for a two-year federal program which is no longer in existence.

Municipalities like Edmonton and Calgary have devoted large budgets to public education and tree-pruning programs. The stop elm disease society is doing great work, but their work may be in vain should campers continue to transport firewood into this province. Alberta Environmental Protection should in fact stop charging for firewood in campgrounds and put an end to this importation. An ounce of prevention is worth a pound of cure in this case, sir.

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

School Space Utilization

MRS. BURGNER: Thank you, Mr. Speaker. Site-based management and decision-making is a positive and productive element in the renewal of our education system. I would like to highlight two policy issues which require attention by both government and local school jurisdictions. Faced with school closures, low enrollment, and an inability to fill the school community, the parents of the Alex Ferguson school undertook a number of enhancements over the last decade. By using fund-raising and parent volunteering and recognizing ways to enhance their school community, they put a number of classroom enhancements in place so that their school community has stabilized.

The current budget recommendations from administration for the Calgary board of education are now negating these local decisions that they have made by limiting janitorial services and encouraging those schools to close those classrooms that are no longer full. I encourage the board not to accept that recommendation, and I encourage them to continue supporting their local site-based management decisions. I encourage their board to further engage this government to revisit utilization policies and to respect those local decisions made by parents to enhance their school communities.

Another area which requires further study is the utilization of public funds for providing services for the children's initiative. Currently public works in Calgary is having difficulty providing for spaces for the children's initiative while we have a number of schools underutilized. We could accommodate some of those facilities in some of our underutilized schools. Perhaps I'm stating the obvious by putting children's services in places where we have children. Quite frankly, that's a no-brainer. But we haven't quite developed a way to bridge this policy issue for our utilization board does not necessarily recognize ways to accommodate other government services in our school communities.

I encourage site-based decision-making. I encourage our boards and parents to support those initiatives. I would like to see policies that foster and support the long-term viability of our school communities, and I encourage our government to participate actively in reviewing these types of policy discussions.

Thank you, Mr. Speaker.

head: Orders of the Day

head: Public Bills and Orders Other than
Government Bills and Orders

head: Second Reading

Bill 208 Prevention of Youth Tobacco Use Act

[Adjourned debate May 5: Mr. Doerksen]

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

MR. DOERKSEN: Thank you, Mr. Speaker. I spent the weekend waiting for the opportunity to complete my remarks on this particular bill.

DR. TAYLOR: He's lost his speech.

MR. DOERKSEN: No, I haven't lost my speech. Actually I found some different things that I should talk about.

Probably the most important thing that we need to do in supporting this bill is to recognize that it is only one component of a number of effective strategies to address the issue of smoking among our young people. Mr. Speaker, I would point out that this is a very important part of the number of strategies, because without it, all of our education and other programs we have going will not be as effective.

2:50

One of the criticisms that's raised by people when they're talking about this particular bill is the one of enforcement. Well, Mr. Speaker, I think that's an erroneous argument to make, because we're not going to employ a whole number of enforcement officers to run around trying to find kids possessing cigarettes. But if the occasion arises whereby it might be necessary, it's important to be able to at least then have the tools to effect that enforcement, either by removal of the cigarettes from the individual's pockets or taking them, just to reinforce the notion that we consider our youth to be valuable and that the prevention of the beginning of smoking at an early age is critical to their long-term health and well-being.

Mr. Speaker, I am not going to use up the full 70 minutes left in this debate. I do want other people to have an opportunity to speak, so I will now take my place.

THE SPEAKER: The hon. Member for Highwood.

MR. TANNAS: Thank you, Mr. Speaker. It's my pleasure today to rise to speak to Bill 208, Prevention of Youth Tobacco Use Act. First, I wish to recognize the good work of the hon. Member for Wetaskiwin-Camrose and to congratulate him for sponsoring it. I wholeheartedly support the concept presented in this bill, but I do think the bill should include a provision restricting possession to persons over the legal age limit. If young people should not be using tobacco products, they shouldn't be in possession of it either.

Mr. Speaker, since tobacco is a legal substance and given the compelling evidence that the vast majority of smokers start in their teens or earlier, we should be doing something to protect our young people from smoking. I recognize that the government has made a good beginning in addressing this issue through education programs in schools and the Alberta tobacco reduction plan. However, I think the next important step is legislation. The federal government has very comprehensive legislation for retailers and the industry, but there is a void in the legislation when it comes to expecting more from our young people. It's for these reasons that I think tobacco should be treated in a similar way to alcohol; that is, with possession an offence that is enforceable.

Part of the problem with current legislation, which only focuses on the retailer rather than focusing on both the retailer and the consumer, is that retailers become responsible for reducing the statistical incidence of smoking among youth. Mr. Speaker, this is something that they really have limited control over. Not all underage smokers buy their cigarettes directly from a retailer. Some get them from older peers, some from adults. They may even steal them, or they may get them from someone who is a fellow smoker or purchase them from a fellow underage person. How can a retailer

be responsible for these cases? A retailer simply can't be. Retailers can only be responsible for their own compliance with the law, and their compliance will only have a limited effect on the use of tobacco products by young people.

If we really want to fully address this problem, we need to make the young person responsible for his or her own actions in this regard, which may mean confiscating the cigarettes from the children who are underage and should not have them. According to the National Clearinghouse on Tobacco and Health, over 80 percent of teens in Canada are aware of what the legal age is for the sale of and purchase of tobacco in their respective provinces. Awareness is slightly lower among those who are 10 to 12 years of age, but it's still at about 75 percent. Yet despite this awareness, Mr. Speaker, many young people still attempt to buy tobacco, because for them there's no consequence if they are able to purchase the tobacco product.

While Alberta does not have its own tobacco legislation, the province does abide by the federal Tobacco Act, which prohibits sales to persons under the age of 18. Where the federal legislation falls short is in narrowly protecting young people from obtaining these products. To date much of the focus has been on retailers, and currently in Alberta compliance rates by retailers have been, according to reports, improving. However, little attention has been given to the responsibility of adults and youth themselves.

Laws prohibiting sales to minors are essential components of comprehensive youth prevention programs. To be effective, legislation must not only set minimum age limits but must include a wide range of measures to prevent youth from gaining access to tobacco products and, hopefully, to strip tobacco of its allure. Implemented properly, Mr. Speaker, improved health warnings, retail display restrictions, and bans on direct and indirect tobacco industry sponsorship are all powerful weapons in discouraging and preventing tobacco use by our young people.

Currently provisions for each of these areas are included in the federal Tobacco Act. The one thing missing from the act is a possession law. As stated earlier by my hon. colleague, the most successful project initiated in North America to reduce tobacco consumption by youth included a restriction on possession. The Woodridge, Illinois, project has been duplicated in Massachusetts and California without, interestingly enough, the restriction on possession for underage children, and the results were that the retail compliance improved, but the number of teens smoking didn't change. There's no point in that kind of a project. We should not be interested in making laws that are not effective nor in making laws that simply duplicate the current federal legislation.

Mr. Speaker, the fact that current legislation does not include a restriction on youth possession presents a mixed message to our young people. They need to be given a consistent message that will overcome the passive approach that we as adults and legislators have taken toward tobacco use by our young people. Effective disincentives are necessary to prevent nicotine addiction in youth. This is because young people and many adults tend to believe that the health effects of tobacco use only occur after a long period of time.

Mr. Speaker, despite legislation to restrict access to tobacco, most youth are still able to obtain tobacco products relatively easily. According to a 1995 survey conducted in some 25 cities across Canada, more than half of the retailers, in fact 52 percent, were still willing to sell to minors. This rate is just simply too high. I would suggest that a fine on a retailer caught selling tobacco to someone younger than 18 years is reasonable for a first such offence. However, for subsequent offences these people should have their licences to sell tobacco products suspended for some specified period of time. Liquor stores lose their right to sell liquor if they sell

to minors. Tobacco retailers should be treated the same way. Suspending a store owner's licence for selling tobacco products to minors could be incredibly effective in improving compliance among retailers.

I'd also be in favour of an advertising campaign for Alberta youth, but I would suggest that a program designed by Alberta youth to convince fellow Alberta youth to not use tobacco and of the dangers of addiction and the harm it causes to our society would be effective.

It's these three measures working together, Mr. Speaker, that would be effective in reducing the number of young people in Alberta who use cigarettes: first, an antipossession law; second, revoking the licences of retailers who continue to sell to minors; and third, a public awareness pitch designed by youth for youth.

Mr. Speaker, I'd add that legislation like this would help our schools implement their own policies against smoking. For schools this issue has become a big problem. At the present time there isn't any legislation to assist them. Bill 208 would provide assistance and support to schools that are struggling with this issue.

Questions have been raised about enforcing a law like the one before us today. Enforcement should not really be an issue. Police are obliged to uphold the law, whether that be confiscating tobacco from youth or challenging a person's age. It's really very simple. If something is the law, then police officers are obliged to enforce it as they encounter people who are breaking that law. I'd also add that police services in both the major centres in Alberta and the RCMP, which blankets much of the rest of Alberta, have offered their support for Bill 208, and the Calgary city police have encouraged the sponsoring member to go one step further and include possession, which, as I've suggested, is a very good idea.

3:00

There's one final point I'd like to mention regarding Bill 208, Mr. Speaker, and that is the whole concept that if you do sweat the small things, you do make some progress. Since January 1994 the New York Police Department has been engaged in a departmentwide strategic attack on crime and disorder in the city of New York. Instead of merely reacting to crimes as they occur, the department has established proactive strategies to confront the problems of guns, youth crime, domestic violence, disorder in public spaces, auto theft, police corruption, drug sales, the lot. The mayor of New York challenged the New York Police Department to focus its talent and resources on its core mission of driving down crime and controlling disorder. The police department responded to the challenge and in 1994 and '95 began executing a number of crime control strategies.

Mr. Speaker, you might ask: how is this relevant? It's relevant in that if you attend seriously to the small details, you can get greater compliance in the big picture. Throughout the city of New York the department responded to visible problems like public drinking, boom-box cars, street prostitution, street-level drug dealing, and the notorious squeegee children. In only two years people in New York have reported feeling safer as they see police taking action against highly visible problems. For the first time in years New Yorkers are feeling less fear than they have in some time.

More important, though, is that the number of felony crimes have declined by 28 percent and homicides have plummeted 38 percent since January of 1994. Between 1994 and '96 there have been about 118,000 fewer crime victims, including people who would have been robbed, raped, shot, or murdered. Crime has fallen for all major felonies in each and every single precinct in the city, and as you know, Mr. Speaker, there are well over 100 precincts in New York City. These strategies have achieved the largest drops in felony crime in the city's modern history, with rates falling to their lowest levels in more than 20 years.

Given the evidence, then, that tobacco use is a predictor of future drug use, Mr. Speaker, we need to put the facts together and look at the evidence and realize that a law that dissuades youth from using tobacco and actually makes it illegal for them to possess it could go a long way in reducing crime in Alberta. New York City provides an excellent case study that reducing the highly visible smaller problems works to eliminate the bigger problems.

Now, Mr. Speaker, I'm not suggesting that an underage person purchasing a packet of cigarettes is a major crime. However, if it is not lawful to sell to a minor, why should it be lawful for a minor, then, to carry the cigarettes and share them with other underage persons, sell them to other underage persons, or exchange them at school? If this possession law is not in place, then a teacher is not able to do anything about it. The person can have their little round chewing tobacco tins or their packet of cigarettes sticking out of their pocket, and the school is not able to easily deal with that. These circumstances, if we had the antipossession law, would allow schoolteachers and school authorities who so wish to do so to deal with the problem.

Research clearly shows that peer pressure is a leading reason for young people to begin smoking. Antipossession and confiscation provisions would allow school boards to set policies enabling teachers or school paraprofessionals to confiscate the cigarettes and to contact the parents or guardians and offer to return the cigarettes to the family if the parents are willing to pick them up personally at the principal's office. As schoolteachers, Mr. Speaker, I'm sure that you and I would know that that would go a long way to making the point with underage smokers by reducing the use of tobacco products and possession of them by minors.

Mr. Speaker, we need to send a message to our young people that it's not okay for them to smoke, that their health and quality of health mean far more to us than condoning a practice that will only hurt them and their loved ones over the long run. We want to present to them a consistent message that is supported by statistical and case evidence, medical evidence, that there is an immediate as well as a long-term consequence should they choose to use tobacco products beginning at their young age and continuing through their adult life.

Mr. Speaker, I stand in support of Bill 208 today. I would also like to recommend that in Committee of the Whole we amend the bill to include possession in section 2 of the act and that we look further into the possibilities of revoking the licences of retailers who sell to people who are under the legal age limit. This is a good bill that may be easily made a much better bill.

Hon. members, let us bend ourselves to the task so that Albertans can say that in May of 1999 we took decisive action to rid our society of a terrible scourge by striking at its genesis. Let it be said of the Third Session of Alberta's 24th Legislature that it acted to stop tobacco addiction among its youth. Please vote in support of Bill 208.

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

MRS. FRITZ: Thank you, Mr. Speaker. I'm pleased to have the opportunity as well this afternoon to speak in support of Bill 208. I believe that the goal of my colleague from Wetaskiwin-Camrose is an admirable one and that this bill will be effective in bringing about a reduction in youth smoking in our province.

Young people smoking is a huge problem in Alberta and, in fact, throughout Canada, which we have heard in the Legislature previously, Mr. Speaker. The only people who benefit when children use tobacco products are the tobacco companies and their shareholders. Studies have estimated that youth who smoke will

stay addicted for an average of 16 to 20 years. Now, for the tobacco industry this means a steady source of revenue and extremely high profit levels for years to come. But often young people do not believe that they will become addicted. Most beginning smokers are under the impression that they will be able to quit whenever they feel like it.

You know, I'm certain that many of the people in the Legislature have had the same experience I've had when conversing with young people who do smoke. What they say is that they do not plan on smoking forever. In fact, they feel they can stop smoking in a few months, a few years, or perhaps by the time they are 21. They often have goals of when they plan on quitting, but I can tell you quite frankly that that does not happen. They don't quit. Very few actually stop smoking. One study showed that 95 percent of high school seniors believed that they would be able to quit smoking after graduation, while in reality 73 percent were still addicted eight years later.

Why do young people stay addicted, and why can't they quit? We've heard the answers to those questions previously in other bills that we've had before the Legislature in regards to smoking, and we know that ultimately it isn't a matter of choice for people. It is the highly addictive nature of nicotine which keeps young people smoking, and tobacco addiction is one of the most difficult addictions to overcome. In many ways it is as powerful as heroin or cocaine. The best approach to avoid this type of addiction, of course, is simply not to start smoking, and for this I firmly believe that our young people need our help, just as our Member for Wetaskiwin-Camrose believes the same, which is why we have this bill before our Legislature. That is why I support the principle of this bill, because it is attempting to protect our youth from the dangers of smoking just as we would protect them from other dangers to their health and well-being.

I also want you to know that I'm supporting this bill in second reading because of the principle, but I am looking forward to some friendly amendments from the Member for Wetaskiwin-Camrose in Committee of the Whole to make the bill more workable.

Research shows that a young person who doesn't smoke will not smoke as an adult. Very few people pick up the habit once they are beyond their teen years, and that quite frankly is why prevention is so important. Often when we hear the debate in regards to smoking, we speak of the cost to the economy, and in Alberta that's in the range of \$729 million per year.

MR. DOERKSEN: How much?

MRS. FRITZ: Seven hundred and twenty-nine million dollars per year.

There's also a cost to direct and indirect health care and in reduced economic productivity, lost income, and even property damage. But the real tragedy is in the loss of human life. As I said earlier, Mr. Speaker, the sooner that a young person uses tobacco products, the greater their chances are of developing a related disease. Sadly, those who begin smoking by age 15 double their chances of dying prematurely.

In Canada 8,000 Canadian children between the ages of 12 and 18 will begin smoking this month. That's 8,000 this month, and that happens every single month. That's over 96,000 children per year, consuming a total of 1.7 billion cigarettes annually. Young people spend approximately \$280 million per year on tobacco, and the problem of tobacco use among youth is especially noteworthy among young women.

I have a very deep interest in women's issues, especially when it concerns our youth. Research, including a recent federal study,

shows that the proportion of young women who smoke is increasing. In fact, the numbers also indicate that adolescent women are more likely to smoke than adolescent men, and the causes and consequences of this are quite alarming. Young women often smoke as a means of appetite suppression, weight control, and as a way of appearing in control to others. The combination of smoking and not eating well is deadly.

3:10

Mr. Speaker, I respect and support this principle of Bill 208, and I commend the Member for Wetaskiwin-Camrose for bringing it forward. I believe this is a very, very important step toward assisting the health and well-being of young Albertans, and I urge every member of the Legislature to support second reading of this bill.

Thank you, Mr. Speaker.

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

MS GRAHAM: Thank you, Mr. Speaker. I just want to take this opportunity to make a few comments from my own personal experiences and certainly to support this bill, Bill 208, brought forward by the Member for Wetaskiwin-Camrose. When he first considered bringing this bill before the Legislature, we had a chat, and I encouraged him as much as I could because of my own recent struggles with the addiction that I suffered with for 25 years as of this month.

I'm not going to cover all of the ground that was so ably covered by the Member for Wetaskiwin-Camrose and other colleagues who have spoken about the research and all of the very compelling reasons why one should not smoke. I can only say to those of you who have never smoked – and when I looked at the colleagues who had spoken on this bill, I don't think any of them actually had smoked and had to go through quitting, through that process. It's taken me 25 years, because from the day I pretty well started, I knew I was hooked, and I've wanted to quit every day since. Yes, I enjoyed it, but those of us who say we enjoy it and that we can quit are really deluded or we're deluding ourselves. I mean, we need it to feel normal or to feel good. There's a good reason for that. It affects our brain chemistry. That's what nicotine does, and because of the effect it has on neurotransmitters, it makes your brain feel good.

I tried everything. I tried hypnosis, Nicorettes, the patch, willpower. You name it. Nothing worked. Nothing worked for me until another drug came along that took away that craving, and I think I'm cured. It's been almost four months. I pray to God that I have been cured. I guess only time will tell.

If any members of this Legislature have any doubt about whether we need to find ways to prevent young people from taking up the habit, then I'm here to tell you to support this type of measure. It's not the be-all and end-all. It's one aspect of an overall strategy which should include education and other means of persuasion. The fact is that if there's a law on the books that will prevent kids from getting ahold of cigarettes and starting to smoke, then we should all support it.

Those are my comments.

MRS. McCLELLAN: Mr. Speaker, I want to stand and just add a few comments to others who have spoken on the bill that's before the House and to lend my support to this bill.

It has seemed rather inconsistent to me that we have laws on our books that say that you may not sell cigarettes to a person who is under 18, yet there is no penalty for the consumption of that product that it is illegal for a young person to buy. There has been some

discussion in the House about enforcement. I guess that is similar to the issue around alcohol and enforcement.

Mr. Speaker, it may be different, but one knows today that the effects of smoking on any age are not good. There is a health hazard, and yes, I, like my colleague who just spoke, have been a smoker off and on for a number of years and started as a youth. At that time it wasn't considered a health hazard, and I could understand at that time why a number of young people smoked. I think cigarettes were 49 cents a pack at that time too. Mind you; 49 cents then was probably like \$4.50 now. As minister responsible for youth and as a past Minister of Health I fully understand the hazards of smoking. I would not support it if it were not part of an overall strategy.

It always has seemed rather inconsistent to me as well that the penalties that have been associated around the illegal activity of selling cigarettes to a minor were all on the retailer's side, and I have not liked some of the methods that have been used to catch the retailer who, I think in most cases, inadvertently sold cigarettes to a person who was under 18. However, Mr. Speaker, there is no question that the use of tobacco is not advisable for anyone at any age. It is also, I think, a fact for anyone who has used tobacco that it is an addictive substance, that it is a hard habit to break. The best way to do that is to never start.

So, Mr. Speaker, I am going to support a part of a strategy that I hope will encourage our young people not to become users of this substance. The increase in smoking is of great concern to me, especially among young women, and today with all of the information that is out there about the health hazards of the use of this product, I am at a loss to understand why young people would start a habit which I think quickly becomes an addiction, that is not healthy, and that is very, very expensive.

I admire the Member for Wetaskiwin-Camrose for bringing this bill forward. I realize that this is only one part of the puzzle, but these steps may help some young person not to smoke.

Now, as I read the bill, I don't believe that the penalties are extraordinary. I hope that they are strong enough to make one stop and think. I can tell you that if I were under 18 and somebody was facing me with a \$100 fine, I'd find it significant. I, again, hope that young people will see this bill and see the member that brought it forward in the light that I believe the member brought it forward in; that is, to be helpful and to be part of a strategy that reduces the use of a harmful product to our youth.

Thank you, Mr. Speaker.

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

DR. NICOL: Thank you, Mr. Speaker. It's a real pleasure to rise this afternoon and speak to Bill 208. A number of the speakers previously have talked about the issue of having to build a comprehensive program to make sure that we do have all sides of the issue looked at in the context of an overall program that would restrict the use of tobacco by persons under 18 in the province of Alberta. This bill becomes one part of it in terms of: how do we discourage persons under 18 from actually consuming tobacco products? We've already had in place the appropriate legislation to deal with licences and permitting the sale of it.

But, you know, we look at it in the context of how this is going to work. References have been made this afternoon on a number of occasions to some of the examples where communities have gone together with really comprehensive programs of enforcement, sale prohibition, and consumption controls. They seem to be somewhat successful. The Woodridge case is the one that comes up most often.

3:20

I would just like to make a suggestion to the hon. member that's proposing the bill. I think it's a real good idea. I guess I rose to speak when I heard the Minister of Community Development speaking about how she didn't think the \$100 was an excessive fine. To young people \$100 can be an awful lot of money. If they are faced with a fine, are they going to be able to pay it or will it be their parents that pay it? I would like to suggest to the sponsor of the bill that as we move this into committee and start bringing forward some solutions or some possible amendments to it, maybe that \$100 needs to be changed from a monetary fine to a number of days of community service.

Let's put them out and have them do something in the community. They can visit seniors in a seniors' home. They can help handicapped persons or seniors go out and do their shopping. They can do all kinds of things in the context of community service, and that teaches them a degree of responsibility, Mr. Speaker, which is associated with the recognition of what is right and what is wrong and what is supportive of the kind of society we're trying to build with our laws and our regulations in this province.

A monetary fine just means they're going to run to their parents and say: I don't have this; you don't want me picked up the next time I go out on the street, so give me the hundred bucks, and I'll pay it off. The next day they go back out, and the addiction that we've heard about says: yes, they'll probably be bumming a cigarette off their friends or else buying them and consuming them again on their own.

I think we should look at it from the perspective of: how can we make this into a more building experience for them rather than a penalizing experience? Make it into a learning experience for them rather than something where they just kind of pass the buck off again to their parents, who are going to give them the hundred dollars. So I would like to suggest that to the sponsoring member of the bill so that we can make sure that as we move this bill along, it becomes part of a comprehensive package of trying to build the kind of community that we want, where each individual, including persons under 18, has a reflection of responsibility, of what their role is, and how they can contribute to the building of that society.

Other than that, Mr. Speaker, I think it would be very good if we all supported this action. It's an idea that is probably part of the balance that we need in terms of limiting and controlling the use of tobacco products by persons under 18.

Thank you very much for the chance to speak.

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose to close the debate.

MR. JOHNSON: Thank you very much, Mr. Speaker, for the opportunity to close debate on Bill 208, Prevention of Youth Tobacco Use Act, which would restrict youth from smoking in public places. I want to thank the hon. members from both sides of the House for their comments and particularly for their support of this initiative. There is, I believe, a consensus that youth tobacco use is a problem that needs to be addressed, and Bill 208 seeks to address this problem.

Youth smoking is a societal problem and a health problem. It is an expensive one. It has intensified in the '90s, and it is preventable. I believe that Bill 208, as so many have said, is a good step in doing this.

I've listened to the debate, and certainly I've listened to many comments in regards to possible amendments in committee and certainly would be willing to entertain and consider any of those suggestions when it comes to committee.

I would like to once again thank all members for their support and interest in this societal problem.

Thank you very much.

[Motion carried; Bill 208 read a second time]

THE SPEAKER: Hon. members, since the pretty significant changes were made to the Standing Orders with respect to private members' bills in 1993, there have been a series of private members' bills that have gone through and become law in the province of Alberta, which is very, very unique and unequalled and unparalleled in any of the 140 jurisdictions that follow this particular system of government. Never once – never once – has a bill reached second reading as quickly as this one. So this is another first for the progress of the Legislative Assembly.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. Given the time, I wonder if we could call it 3:30 and move on to motions.

THE SPEAKER: Hon. members, I'll certainly call the question, but we'll require unanimous consent. Would all hon. members in favour of the motion put forward by the hon. Government House Leader please say aye?

HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no.

head: Motions Other than Government Motions

Highway Intersection Warning Signs

511. Mr. Fischer moved:

Be it resolved that the Legislative Assembly urge the government to investigate ways to improve traffic safety at rural intersections by improving the visibility of "important intersection ahead" signs or by adding additional signage informing drivers of upcoming intersections.

[Debate adjourned May 4: Mr. Bonner speaking]

[Motion lost]

Children's Programs

512. Mr. Dickson moved on behalf of Mrs. Sloan:

Be it resolved that the Legislative Assembly urge the government to compile an assessment report which shall include indicators of vulnerabilities in Alberta children and the status of provincial programs for such children, to be tabled annually in the Legislative Assembly.

MR. DICKSON: Mr. Speaker, I'm delighted to stand up and speak to Motion 512, a motion that's been put forward by my colleague the Member for Edmonton-Riverview. This is a motion that recognizes that it's not simply enough to deal with children's services on an episodic basis. It's not good enough every now and again, when we find another child in care who dies or takes his or her own life – in those cases it cries out for a systemic kind of review.

[Mrs. Gordon in the chair]

One of the things that I very much appreciate about the motion that's been brought forward by my colleague for Edmonton-Riverview is that we want to assess on a systemwide basis what

kinds of deficiencies there may be with provincial programs, which things must be changed. I'm in mind of a couple of things; firstly, the UN convention on the rights of the child. One of the things about that sort of a convention is that it requires, Madam Speaker, a jurisdiction like the province of Alberta to report on how we're dealing with children's services overall and the extent to which we measure up to the different standards in that UN convention on the rights of the child. What we find too often is that we don't have that opportunity to look at children's programs right across the board. So I mention the UN convention on the rights of the child as being one good reason why we should be looking at supporting this motion.

The other one is that what we have seen through the office of the Children's Advocate in this province in report after report after report – we have a lack of co-ordination; we have a lack of systemic reviews. We see the Mental Health Patient Advocate identifying a host of concerns in mental health services, including pediatric psychiatric and mental health services. We see concerns identified by the Children's Advocate. We see concerns in different areas.

3:30

There was a wonderful conference that was hosted in the city of Calgary – I think it was two years ago – by the Dignity Foundation. The conference was chaired by Brian Edy and co-chaired by Ron Ghitter and Kathleen Mahoney. The whole focus of that conference was on how we could do a better job for the children in this province. Some of the things we talked about, Madam Speaker, were looking at some kind of a review which was thorough, which was comprehensive and ensured that we were able to identify the areas in which vulnerable children in this province were not being adequately supported by the province.

What is so exciting about this proposal from Edmonton-Riverview is that on an annual basis, not in a myriad of assorted reports but in a single document that comes in with all of the power invested in that single document, in this Assembly, when it's tabled, we're able to see whether we're making headway, whether we're falling behind, whether we're moving forward, whether we're stuck, bound up in inertia and not making any progress. Those are things that are important to know.

In a province that has an abysmally high rate of teen suicide, in a province in which major studies in the city of Calgary by the city of Calgary and agencies there and then by the Edmonton Social Planning Council in the city of Edmonton, what we've identified are high levels of children who simply are not getting enough to eat. Reasonable men and women, I suppose, may quarrel over the indicia of hunger and what the precise numbers are, what the precise percentages are, but is there a member in this Assembly that's prepared to countenance any significant degree of child hunger? Is there a member in this Assembly that's prepared to countenance any significant degree of child poverty? Is there a member in this Assembly that's prepared to countenance any significant degree of physical or mental abuse of children? I would hope that nobody would find any of those things acceptable.

Yet how do we monitor those things, Madam Speaker? How do we gauge them? How do we determine whether we're making progress or falling behind? That's the challenge for us, and our colleague from Edmonton-Riverview has come forward with a specific, a thoughtful, a helpful solution. I for one can't wait to see this assessment report. I think it gives us a really excellent standard to measure provincial programs against. Some may ask: what are those indicators of vulnerabilities? I know that when my colleague from Edmonton-Riverview speaks – she's given a great deal of thought to this – she's going to be able to enumerate a number of those specific kinds of things that ought to be tested and measured.

This is a proposal which is very near and dear to me. I remember when I was part of the Calgary homeless awareness symposium that was held a couple of years ago in the city of Calgary. I was part of a group that stayed together after the symposium and looked at some issues of need in the city of Calgary around homelessness. What we found was that a significant part of the homeless population in the city of Calgary is now children. This is maybe one of the scariest things. It used to be in the city of Calgary we would see single men in a homeless situation, but it was a startling situation to find on the streets of Calgary that you now have, at least within the last short period of time – we now start seeing families that are homeless, children that are homeless. Those of us that have had a chance to see large U.S. cities shake our heads and wonder how it is that a prosperous nation like the United States could allow such high levels of child poverty and children in need of shelter and maybe took some false comfort in thinking: yes, but it doesn't happen here in good old Alberta.

Well, Madam Speaker, and through you to members, in fact we are seeing evidence of it now. This is not what one might describe as an epidemic, but it's a major problem. I think it's a blight. It's a blight on the record of this province. It's a blight on our belief and on our attempt to demonstrate that this is a wonderful province for people to move to, to relocate here, to raise families in, yet we discover that in some of these areas we have major problems.

One of the things that I think would be an excellent companion to the motion introduced by Edmonton-Riverview – and she may have a plan to integrate this in the assessment report – would be to recognize that the Children's Advocate ought to be able to report, as I think in Saskatchewan that Children's Advocate can, on the full range of children's services. I know that there's a Liberal private member's bill which has been brought forward that would do the same thing: to allow the Children's Advocate to evaluate all kinds of children's programs, be able to report on them; identify shortcomings, problems, and successes, and be able to monitor and track those. Well, while we're waiting for the children's commissioner to be able to acquire that expanded power, our always resourceful colleague from Edmonton-Riverview has come up with certainly an immediate proposal that would help us make some significant progress with respect to indicators of vulnerabilities.

Madam Speaker, this is the sort of thing that makes such eminent good sense that one would have to ask why we haven't done it before. Why have we not attached enough importance to the issue of children's services that we start tracking the statistics? If I were cynical – and I'm certainly not that – I'd say in some cases maybe it suits the purposes of government to keep the information fragmented, not readily retrievable, because you never really know, then, those areas where you have to do much better. It's easy to sort of slough off or overlook areas where we're deficient.

When we look at mental health services in the city of Calgary, there are lots of deficiencies. I think of an item that I remember raising in the Assembly last year. We found there weren't enough pediatric psychiatric beds in the Alberta Children's hospital, so what happened was you had children with acute mental health problems who were being put in a bed on a general ward, and for supervision they had a security guard, a rent-a-cop, sitting beside the child in this general ward. Well, this is so far from what would be acceptable for a child with serious mental health issues, I would be astonished that we tolerated it at all.

The fact that children have a great deal of difficulty accessing psychiatric services and we find out about long waits: how is it those things can go on in this province? Well, this would be a means of trying to identify problems at an earlier stage and then ensure that we're able to marshal the appropriate resources to get in and meet some of those needs.

I think there are lots of creative people in this Assembly, and we could probably come up with a host of good suggestions for the Member for Edmonton-Riverview in terms of what some of those indicators of vulnerabilities might be beyond mental health and beyond homelessness, beyond teen suicide or suicide attempts. I expect we might want to add substance abuse, alcohol abuse. Those are matters that represent significant problems for vulnerable youth as well. The more one thinks about it, the more kinds of indicators you could think of that ought to be included.

3:40

What I envisage happening is that if we did this, the minister of children's services once a year would have a news conference, and hopefully it would be well covered and well attended. That minister of children's services would not have to rely on her recycled response in question period about what her office does. She would have something new. She would have some new material, Madam Speaker, so that when she is asked a question about children's services, at least once a year she'd be able to put the report on the table. She'd be able to go through and review. She could have a bar graph. She could have a chart, and she could point out whether we're making progress from last year or falling behind. Then she'd come into the House, and presumably there would be MLAs that would be asking questions in terms of whether we measured up against what we had done last year or areas in which there was improvement. Where there was improvement, the minister would bask in praise from opposition MLAs and child service agencies who would be happy to congratulate that minister and her government for making some forward progress.

In any event, Madam Speaker, I had been thinking of this the other day, and being as forgetful as I typically am, I left my notes in my office. So I am not able to sort of go through the full list that I remember identifying the other day in preparing to speak to the motion, but I'm confident that there'll be other members who are going to be able to enumerate some of those specific concerns.

So those are the points I wanted to make with respect to the motion. I am delighted to see it on the Order Paper. I am very excited about the debate to ensue, and I think the vote on this motion is going to be particularly instructive as well. For all those reasons, I'll take my seat now.

Thanks very much, Madam Speaker.

Speaker's Ruling Closing Debate

THE ACTING SPEAKER: Hon. Member for Edmonton-Riverview, we usually go back and forth, but I do want to say this before you rise. Under *Beauchesne* 466(2), if you were to speak now, having had the hon. Member for Calgary-Buffalo move this motion on your behalf, you will close debate. So the hon. minister of children's services.

MS CALAHASEN: Do you want to do that? Do you want to close debate?

AN HON. MEMBER: So she can't speak at all?

THE ACTING SPEAKER: No, we go back and forth, but if the hon. Member for Edmonton-Riverview were to rise and speak now, she would close debate. But we do go from one side of the House to the other as far as debate goes.

I will recognize the hon. minister of children's services.

Debate Continued

MS CALAHASEN: Thank you very much, Madam Speaker. Motion 512 urges the government to table an annual report in the Legislature detailing indicators of vulnerability in Alberta children as well as the status of provincial programs for vulnerable children. Though the intentions of Motion 512 are really commendable, I want to talk about what has been happening in government. I think people do not want to talk about duplication and don't want to see duplication, but they want to see some real things happen on a number of fronts. I want to talk about some of the things that I see are possible with the member's motion as well as what government has been doing.

First of all, Madam Speaker, one of the things that I want to talk about is that we restructured children's services, and that took a long time. It took, I would say, about the first five years. I remember when the Minister of Family and Social Services of the day indicated that he wanted to see the restructuring occur. That was for a number of reasons. He did this because he thought that there needed to be some things that needed to be done to make sure that communities can be involved in decision-making. He also wanted to make sure that the people of the province were involved in the decision-making and that they could go ahead and dream the big dreams of how they wanted to see children's services change. With that change came the idea that maybe the accountability also has to be front and centre from government. I think that's what the member is talking about in terms of making sure that there is accountability attached to everything that we do in children's services.

It's on that basis that I want to talk, because when we're talking about vulnerable children, we have to be able to make sure that whatever we do, everything is effective, that there are measurable outcomes that we can attach to any programs that we have and that we have a number of structures that would be in place to ensure that whatever we did, we'd be accountable to the people. The people then would be accountable to the people that were part of the region that they represented.

Through the whole redesign of the children's services, there were so many things that happened, so many good things at the community level. The communities began to realize that they did have a say in what happened in children's services and that we needed to concentrate on those and that we needed to have that information flow continue. I think a lot of people took that to heart, Madam Speaker.

Just as an example. The latest ATA magazine on page 31, From The President, Bauni Mackay, whom I've been working with quite regularly relative to what has been happening in children's services – when we talk about the linkages that have to be made, we have to make linkages with everybody within the community. We have to make linkages with the school boards. We have to make linkages with the Alberta Teachers' Association, because the teachers will be involved in whatever happens in the redesign, and when we're talking about vulnerable children, they will be the ones that will notice firsthand what's happening with a child when they become vulnerable. To be able to do that, we're making sure that those linkages would be made at the community level, and the regional authorities that have now been appointed are making sure that they do make those linkages.

From The President. Her ideas, her thoughts were that what we were doing was probably one of the better structures that could be put in place to ensure that vulnerable children don't fall through the cracks. In her comments she indicated that "the Children's Initiative has the potential to change how children in this province are regarded because it makes the community responsible for its children." But we also have to remember that the parents have the

first responsibility, and the community then comes in place to be able to have the supports necessary to be able to do that. How government is involved is very important, because when we're talking about government's accountability, we have to look at what we need to do. We must make sure that we do have annual reports, and Family and Social Services' ministers always report certain things that come through, regardless of what the information is.

Business plans. We have business plans that are open and that people can see and give us some guidelines as to what we can put forward in the business planning process. There are performance measures of various departments that we have to make sure match from one to the other.

Madam Speaker, the one thing that I think is really important when we're talking about accountability and to make sure that vulnerable children don't fall through the cracks is one that I've heard consistently throughout the province. People have indicated, as I traveled around this province, that we have to start looking at how we can integrate services. They say: we all look through stovepipes in our own areas. That's an area that had been sort of ignored throughout the whole process of whatever has happened in children's services. They said: if we can integrate the various departments and if we can integrate at the community, we're going to be able to see that vulnerable children are not falling through the cracks, that we are finally going to do things that will work for kids and families.

It's through those kinds of areas that we have to continue to work. When you think about it, the community has to be part and parcel of everything that we do, because it is their children. It is the parent's children. The parents live within the community. The community can be involved in that respect to be able to make sure that things do happen at the community level.

The different departments that we've been working with, Madam Speaker, are Social Services, Health, Education, Community Development and of course AADAC through Community Development, and Justice. I think those are the areas that we have to continue to pull together. If we're talking about a report that would be able to show whether or not that's happening, I believe that when we do the children's forum in the fall, the report card will be coming forward in that manner, where we can start to look at whether or not we are actually doing what we had set out to do in the children's services initiative.

The children's services initiative certainly gives us the goals that we have to work towards, and everybody knows what those goals are, I'm sure, by now: that children will be safe, that children will be healthy, that children will be successful at learning, and that children will be well cared for. Within those four goals there are a number of things that can be done, and we are seeing a lot of work that is now coming together. I call it a synergy amongst departments and the linkages group, that we have worked together to pull together these outcomes and measures that we have put in place. With that, we'll know how far we've come with the children's services during the forum, and then from the forum we'll be able to go from that jumping-off point to know what else we have to do. It's building on what we have done and going on further and making sure that the people of Alberta are part and parcel of this children's forum.

3:50

There are many, many reports that go through, and reports can be just reports, Madam Speaker. We have to make sure, with whatever it is that we have to report, that those reports are pulled together to see how we can build even on the strength that we have under the children's initiative, which I think is a plus. It's one of the areas that I see as a positive in making sure that we continue to go along on

some of the areas that have been identified by the community at large and the service providers.

When we look at the specific tabled annual reports, we have to be able to identify which part of the vulnerable children we want to be able to look at and where we want to be able to go in order for us to bring together some real synergy between the various groups that have pulled together to date to be able to identify where it is we're going and not necessarily reinvent the wheel. I think that's a really important part when the people across this province keep saying: "We want to be able to do something that's going to build on what we have provided. We have provided you with some direction through the children's initiative and the redesign. It's time for us to be able to move on. We don't need to keep going back and reinventing the wheel." I think that's a very important part to look at.

Under the Alberta children's initiative we identified and committed to reporting on eight specific outcomes, Madam Speaker. Those are really important when we talk about outcomes, because I think that's something the member who's sponsoring the motion has been talking about. The outcomes are very, very key. I just want to go through some of the outcomes, Madam Speaker, because when we look at the outcomes of what we want to do and where we want to go, I think it's a very, very important part of what we may be able to accomplish.

We have a number of strategies. The Alberta children's initiative for 1999-2000, outcomes and targets: strategy one, of course, is to articulate a direction within government "to support children including goals, outcomes, measures, strategies and accountability." The ACI: An Agenda for Joint Action is actually in place, and the goals within it are being featured and supported in partnering the ministry's business plans. Of course, we want to be able to initiate that and start working on that, which we have, and with that would come the forum, where we would do the reporting of whether or not we have achieved the various outcomes as identified.

We have a number of other strategies with the goals that we have identified. In fact, Madam Speaker, we have something like three strategies that we have put together to make sure that we establish various outcomes and indicators and targets to ensure that what we're going to do is going to be something that is meaningful to the people of the province of Alberta. It means that we have to be able to do a lot of work, but work has never been something that I find Albertans are afraid of. They have wanted to pull their sleeves up and be able to work on the forum to identify how we can make it even better.

I think the motion certainly is timely in the sense that we are already doing it. We don't want to duplicate what has been happening. We are doing the redesign process, which is what the authorities are now dealing with. They are working on that. Then we come together to be able to work together and to be able to integrate the services so that programs that will be developed will be even better for kids and families as we move forward.

The various ministries have really pooled a lot of information, and they certainly are always measuring the outcomes to see whether or not they have been in concert with what's been happening. I want to commend those ministries that have been involved because they've really pulled together some excellent, excellent reports on what we can do. I think that when we work towards those kinds of things, we can look at community involvement and departmental involvement and pull those groups together to be able to come out with some wonderful things. We don't want to duplicate some of those areas that I have identified.

To look from infancy to adulthood, the transition that's made, we have to be able to look at all the programs that are available. The new task force the Premier has asked to be pulled together for the children's forum I think will give us some ideas as to what kinds of

programs are available for those children at risk, which then can be brought together to the forum and which then will be able to tell us whether or not we are going to be in a position to get even better programs, enhanced programs, develop new ones if we have to, and be able to be accountable to those various community groups that have brought some ideas forward.

The redesign of children's services I believe is probably one of the greatest undertakings that's ever been done in the province of Alberta. We have even looked at how the Children's Advocate could be involved. There was community involvement in determining what role the Children's Advocate could take. I know the then Children's Advocate went around with all my steering committees to get an idea and a sense of what role they should play. It's my understanding that he was very instrumental and proactive in getting the information from the communities to see what we can do even better in the role that the advocate could play. I know that by his involving the community members to be part and parcel of the Children's Advocate, which had not been done in the past, it really made a difference in terms of understanding the role of the Children's Advocate and what the reporting lines can be.

I look forward, however, to seeing what other activities can be occurring with the Children's Advocate, especially involving community members who are part and parcel of the community at large. It gives at least an idea to the people within that community of how we can continue to even improve the system as we move on.

At this stage, Madam Speaker, I would say that this Motion 512 certainly duplicates what we are doing. I wouldn't want to see a duplicate effort eliminate what the good people, the good folk of the province of Alberta have been working towards. I think we can continue to do a number of things that would really be helpful for them to continue to do the work that they've done. I think the reporting procedure certainly has taken on a number of ways for us to be able to do that. I wouldn't want us to see any changes when we're talking about the business planning process, the annual reports that ministers now currently file in the Legislature. I think that as we see as well the report of the Children's Advocate as it comes forward – and, as necessary, there are reports that get filed as we do other things and continue to work towards what can be better for children and families in this context.

I believe that if we continue to measure the strategies we outlined, the outcomes we have, and the targets we have mentioned, we will start to see some real movement. If we continue to make opportunities for people within the province of Alberta to be involved, to be part of what we're doing, to give us the feedback, we can probably even do better. If our role is to make sure that we involve the community and that we involve people – it's their children – how then do we make it better for them?

Services are incredible. We have so many services out there. We just need to be able to pull that all together, to be able to identify how we can create even better programs if we have to, to be able to identify those that are there and to encourage people to access those programs and services. I believe that we will not need to have reporting on one specific area but rather on the area of where we can help people in this province with their children and families.

So I will take my seat. Thank you.

4:00

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

Hon. member, do you wish me to explain my earlier ruling a little more?

MRS. SLOAN: No. I understand your ruling. Thank you, Madam Speaker.

THE ACTING SPEAKER: Okay; I will recognize Calgary-West. If there's time, then you will have the opportunity to close debate.

MRS. SLOAN: I would like to have the opportunity to debate my motion fully, Madam Speaker. We've had the minister for children's services provide her . . . [interjection] You did indicate that you were going to go back and forth.

THE ACTING SPEAKER: I am going back and forth. No one else from the Official Opposition stood up. I have to recognize those that are speaking, because you . . .

MRS. SLOAN: No, no. They may only speak for my 20 minutes, and they can conclude if they like.

Speaker's Ruling Closing Debate

THE ACTING SPEAKER: Hon. member, in keeping with *Beauchesne* 466(2), I would ask that you look it up and follow along. "Should a member propose a motion on behalf of another Member, a later speech by either will close the debate."

So in fact if either you, being Edmonton-Riverview, or the hon. Member for Calgary-Buffalo were to speak again, that would in essence close debate. I think we have noticed here that some other members wish to be part of the debate. I will recognize them because if I recognized you, it would close debate.

So go ahead, Calgary-West.

Debate Continued

MS KRYCZKA: Thank you, Madam Speaker. I rise today to speak to Motion 512.

MRS. SLOAN: You are so unfair.

THE ACTING SPEAKER: Excuse me a moment, hon. member. The hon. Member for Edmonton-Riverview is rising on a point of order.

Point of Order Closing Debate

MRS. SLOAN: You're going to give me five minutes at the end of the debate? I was standing before she was standing, and I'm prepared to close debate.

THE ACTING SPEAKER: Hon. member, the Member for Calgary-Buffalo moved this motion on your behalf.

MRS. SLOAN: That's exactly right.

THE ACTING SPEAKER: I am following what it says under *Beauchesne* 466(2). I will recognize the hon. Member for Calgary-West because she has stood up to be recognized.

MRS. SLOAN: Go ahead; speak for 20 minutes. Go ahead; give me five minutes at the end.

THE ACTING SPEAKER: Go ahead, Calgary-West.

Debate Continued

MS KRYCZKA: Thank you, Madam Speaker. I rise today to speak to Motion 512, sponsored by the hon. Member for Edmonton-Riverview. We enjoy many advantages in this province, and we will continue to grow as Alberta heads into the future. That future lies in

the hands of our children. They are the ones who will lead this province through the next millennium, and we must nurture them, protect them, and give them the tools they need to succeed.

Madam Speaker, though all children need some guidance, there are those who need our help more than others. Some children have been born into conditions that put them at a distinct disadvantage in comparison to other children. Motion 512 is honourable in its intent to come to the aid of these children, and for that I would like to commend the hon. Member for Edmonton-Riverview for bringing it forth. As well, I would like to thank this member for allowing the Assembly the opportunity to debate what is a crucial issue, the safety and future of our children. [interjection]

Having said that, Madam Speaker, I unfortunately cannot . . .

MS HALEY: A point of order, Madam Speaker.

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

Point of Order Decorum

MS HALEY: Thank you. I'd just like to call a point of order on 13(1) with regard to our Standing Orders: "The Speaker shall preserve order and decorum and shall decide questions of order." Standing Order 13(4)(b): "When a member is speaking, no [other member] shall . . . interrupt that member."

The hon. Member for Edmonton-Riverview clearly will not stop with the interjections. I would appreciate it, if there is a dispute, if we could get it clarified. Otherwise, I would like the rhetoric to stop.

MRS. SLOAN: So I can sit silently here and have a token five minutes at the end. I don't think so.

THE ACTING SPEAKER: Hon. member, I am sitting in the Speaker's chair and being very, very unbiased. I am looking at *Beauchesne* 466(2). This ruling has been made in this House before. Someone on your behalf moved your motion. Under *Beauchesne* it says that if in fact you were to get up and speak again, it would close debate. Usually when we close debate, everyone else who had wanted to speak has done so. The chair is recognizing those that wish to speak. I have a ruling here that was written by the table to this effect sometime ago. I also have read *Beauchesne* into the record this afternoon.

I am recognizing this side of the House because someone stood up. If I recognized you, it would close debate and this person couldn't speak. I would ask that you sincerely look at this ruling as part of the job of the person occupying the chair, which is myself, and I would ask that you refrain from any further interjections.

I am going to continue to recognize Calgary-West.

Debate Continued

MS KRYCZKA: As I said, Madam Speaker, Motion 512 is honourable in its intent to come to the aid of these children, and for that I would like to commend the hon. Member for Edmonton-Riverview for bringing it forth. As well, I would like to thank this member for allowing the Assembly the opportunity to debate what is a crucial issue, the safety and future of our children.

Having said that, Madam Speaker, I unfortunately cannot lend my support to this motion. We have a process in place that works to identify these children, and the progress is tracked and published in our annual reports, business plans, and the reports of the Children's Advocate.

Madam Speaker, with respect to the specifics of the motion, let me give you some examples. Alberta Health's annual report publishes infant mortality rates, the percentage of newborns with low birth weights, and the percentage of low birth weights by individual regions.

The annual report for Alberta Education publishes the rate of high school completion within six months of entering grade 9 as well as the rate of high school completion within four years of entering grade 9.

Family and Social Services publishes average monthly caseloads, the number of investigations completed, the caseload for handicapped children's services, the number of referrals to family mediation and court services, welfare caseloads, the proportion of single-parent welfare cases with child support orders or agreements, the percentage of children who stay free from abuse or neglect while in the ministry's care.

The Children's Advocate reports on caseload activity and any increases in child welfare, child poverty, aboriginal children, and a host of other areas.

Madam Speaker, the point is that it is viewed as paramount to not only track various areas of vulnerability for our children and to make our findings public but also to ensure the children are taken care of. Motion 512 is admirable in its intent, and, as stated, many of the indicators are in place. We must now carry on with programs that will really make a difference.

The Children's Advocate provides individual advocacy for children and youth who receive child welfare services. Madam Speaker, this office is a voice for our children, ensuring that their rights, interests, and viewpoints are being considered and a decision being made on their behalf.

In addition to this, Madam Speaker, we are currently in the process of transferring responsibility for the overseeing of the delivery of child and family services in Alberta to the 18 child and family services authorities. We can't develop a policy for our children that assumes every area of the province has the same priorities and the same issues. That's when children fall through the cracks. So we've decided that each community should have the opportunity to oversee its own priorities and help the people they know need it, rather than relying on everyone else to tell them what they need.

The funding model for the child and family service authority is designed so that base funding for a region is determined on the basis of a region's population of children up to the age of 18. That provides the foundation we can build on, Madam Speaker. After that, we adjust that funding to ensure that those children in groups identified as most vulnerable receive the help they need. This base funding is adjusted by considering the number of children in low-income families, single-parent families, and aboriginal families, as these have been identified as groups that tend to use child and family services at a higher rate and may require additional resources.

4:10

Provincial funds are distributed to each child and family services authority on a lump sum basis, with the exception of funding provided for handicapped children's services, women's shelters, family violence prevention, and other factors. Madam Speaker, these measures will go a long way towards helping our children. As identified in the Speech from the Throne, this government will provide further support to children in low-income families through the national child benefit program. Efforts will also be made to find adoptive families for children in permanent government care.

Madam Speaker, in light of the current circumstances a task force on children at risk has just been announced, to be led by the hon.

Minister of Education. I believe the sponsor of the motion would agree that this task force will serve to account for the services we are providing and will look to ensure that support is readily available for children at risk. The task force will bring ministries together to consider how well we are delivering and co-ordinating our services for children. Each minister will complete an inventory of departmental and agency programs for children, including a description of the program, how it works, its impact, performance measures, the total number of children served, and the cost. The results will be presented to the Alberta children's forum this fall, and I believe this will go a long way toward ensuring a co-ordinated effort to help our children.

The Children's Advocate was created in 1989 to provide individual advocacy for children and youth who receive child welfare case services and who may not have a natural advocate, such as a family member, to speak on their behalf. The advocate is appointed by the Lieutenant Governor in Council on the recommendation of the minister, and he or she ensures that a child's rights, interests, and viewpoints are considered in a decision being made on their behalf.

Under section (3) of the Child Welfare Act the advocate is required to "prepare and submit annual reports to the Minister," who must table the report in the Legislature within 15 days of its next sitting, if not earlier. The last report tabled was the 1996-97 report. However, the 1997-98 report is expected in May of 1999. The 1996-97 report lists caseload activity including age of children served, referral sources, and average monthly caseloads and comparisons.

The Department of Family and Social Services includes indicators of vulnerable children in both its annual report and business plan. Though the type of information included is at the discretion of the minister and department, the department includes most of the indicators such as those presented in Motion 512. For example, the 1997-98 annual report details happenings in child welfare including monthly protection caseload and number of investigations completed; adoptions; handicapped children's services; day care programs, including licensing programs and family day home programs; and funding programs. Also, department performance measures are listed in areas such as the percentage of children who stay free from abuse or neglect while in the ministry's care and progress toward integrated, community-based services for children and families.

Child and family services authorities are considered accountable organizations under the Government Accountability Act and are required to submit annual reports to the minister. Information contained in these reports may or may not then be incorporated into Family and Social Services annual reports. Also, the Child and Family Services Authorities Act requires an authority to submit to the minister any records, reports, or other information requested by the minister.

I both respect and admire the commitment the hon. Member for Edmonton-Riverview has to the children of this province, Madam Speaker. Of all the issues we need to address in Alberta, we should be most cautious of those affecting our children. While I cannot support the motion as worded, I think both sides of the House agree that children are our most important asset, and we must continue to work towards making sure they are well cared for, healthy, and safe.

Thank you.

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

MRS. SLOAN: Well, I'm very flattered this afternoon that the government . . .

THE ACTING SPEAKER: I'm going to allow the hon. Member for Edmonton-Riverview to close debate. How much time is left, Dr. McNeil? There are 11 minutes left, and I will . . .

MRS. SLOAN: Thank you, Madam Speaker. I'm very flattered this afternoon that the government was so threatened by the motion before them that they had to effectively . . .

THE ACTING SPEAKER: Strictly on your motion, please.

MRS. SLOAN: They needed to run a political end run and take a sincere motion intended to assist the government in providing . . .

THE ACTING SPEAKER: The hon. Member for Calgary-Currie. Sit down. We have a point of order.

Point of Order Imputing Motives

MRS. BURGNER: *Beauchesne*, imputing false motives. Madam Speaker, as you have justly ruled, this was not an action taken by any member in this House to thwart the debate of this particular motion. Happenstance was it was started in an unprecedented way because of the circumstances of the arrival of the member. I don't believe a debate on children's issues should be given those kinds of comments, so I would encourage you to ask the hon. member to stick to the motion.

THE ACTING SPEAKER: Hon. member, on the point of order.

MR. DICKSON: Madam Speaker, if I could just make the observation that there was no allegation about an individual member. There was a comment generally in the context of an issue which is of enormous importance to not only my colleague from Edmonton-Riverview but, I'd hope, all members of the Assembly. So I'm looking forward to the balance of the debate. I think there's no point of order that's been properly defended.

THE ACTING SPEAKER: The Speaker is going to say something. In trying to be fair and allowing the hon. Member for Edmonton-Riverview, who is the mover of the motion, to have some time, I find it strange that you would start by not talking about the motion, instead finding fault with the procedures that are here. It is the chair that has ruled that this go the way it is. It is your hon. colleague next to you who moved on your behalf this motion, and I would ask that very, very quickly, hon. member, you move to what exactly it is in your motion that you're trying to get across instead of pointing fingers at everyone.

Debate Continued

MRS. SLOAN: Well, I really, really appreciate having the six-odd minutes this afternoon to provide my rationale and background with respect to the motion. It really comes as a surprise to me that we do not have government support for the motion this afternoon, given that the Minister of Family and Social Services and the minister without portfolio responsible for children's services just this week released a report saying that they were going to each year provide a report on how children in Alberta are doing. The first will be released in the spring of 2000. But the government's opposition this afternoon to this motion, Madam Speaker, which in my opinion would do exactly that, can only be summarized as that their intent in the report as cited in the press release of March 7 is strictly to report on bureaucracy and overlap and the ad nauseam rhetoric that continues to be put forward.

We currently have in this province children's authorities, the Education ministry, regional health authorities, the Justice department, the children's initiative, children's forum, Children's Advocate, task force on children at risk, and the further endorsement by this province of the national children's agenda, yet the numbers of vulnerable children in this province continue to rise by the thousands every year. I would suggest to the government that instead of waiting for five months to hold the children's forum, instead of delaying the passage of a motion like 512 before you this afternoon, let's get on with providing some meaningful assessment and reporting on what the vulnerabilities of children are in this province.

I would challenge the hon. minister responsible for children's services to go to any one of those I cited and actually find more than two or three statistics that actually report on the status of the children, not on the bureaucratic red tape administrative performance measures that tell you absolutely nothing. They tell you a lot about how to deny services to children. They tell a lot about how to effectively sweep the gaps in children's services under the rug. They tell you a lot about how to delay making interventions when they really mean something to children, when they're still developing. Those are the kinds of things that I am calling for as measurements and assessment in the report cited under 512.

4:20

Regrettably, the government doesn't seem to be alive to that this afternoon. They would rather sit and construct and announce and regurgitate initiatives that are all overlapping. Meanwhile, children are still going hungry. Children are still being abused and neglected while in government care. Children are still dying in government care. In fact, in the fatality inquiries this month: teenager found in an apartment alone while in the permanent care of this government. How do you explain that, minister of agriculture? Further, a baby, a 10-month-old infant, dies of malnutrition. I'd like to hear the government members explain that in the Assembly. A child dies of malnutrition in the province of Alberta. Where was the Alberta advantage for that child?

Those are the types of meaningful assessments and investigations – you know, I can't remember the last time we had a widespread investigation into the death of a child in this province. We had Jordan Quinney's death just over a year ago. We still have not seen the departmental report into why that child was placed back into the same environment that almost dealt him fatal injuries before that.

We do not have the level of accountability, transparency, or commitment currently in this government to be able to make meaningful contributions to improving the development of our children. I'm sorry; I do not accept all of these different initiatives, including the Premier's wife's upcoming forum, as being symbols or concrete initiatives that will make a difference to Alberta's children.

Now, in summary, Madam Speaker, yesterday we had a report released nationally citing that if children were being raised in families with incomes of less than \$30,000, they would most likely be children that would be living in substandard housing, that would live in troubled neighbourhoods, that would show signs of aggression, picking fights. They were more than twice as likely to have vision, hearing, speech, or mobility problems. If I'd asked the question today, "How many Alberta families live below the \$30,000 income figure?" I wonder if any of the ministers involved in the children's initiative would have been able to answer that question.

Well, the reality is that you wouldn't see it in any of the ministries' business plans, not a single one of them. You know where you would find that figure? You'd find it in the Official Opposition's report on vulnerable children last year. The figure in '98 was 138,000 families that were living below \$20,000 of income a year.

I wonder what the figure is for 1999 at an income level of \$30,000. I doubt that we have anyone in this House today that could tell us that. Let's examine further what relationship exists, in a family living with an income of that level, between that family's children's health status and their developmental needs.

As an indication that there is not enough being done, I would refer members to the questions raised in the supply subcommittee of Alberta Health in April of this year. In a number of these areas questions were raised to the Minister of Health. They were subsequently raised to the Minister of Family and Social Services in the debate of that budget, and we did not see answers that provided certainty that the ministries were alive in collecting these types of information.

I appreciate the time I've been permitted this afternoon to debate my motion. Thank you very much, Madam Speaker.

THE ACTING SPEAKER: On the motion as proposed by the hon. Member for Edmonton-Riverview and moved by the hon. Member for Calgary-Buffalo, all those in favour of the motion, please say aye.

SOME HON. MEMBERS: Aye.

THE ACTING SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

THE ACTING SPEAKER: The motion is defeated. Call in the members.

[Several members rose calling for a division. The division bell was rung at 4:26 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mrs. Gordon in the chair]

For the motion:

Blakeman	Leibovici	Olsen
Bonner	MacBeth	Pannu
Carlson	Massey	Sloan
Dickson	Nicol	Soetaert
Gibbons		

Against the motion:

Burgener	Herard	O'Neill
Calahasen	Hierath	Paszkowski
Cao	Jacques	Pham
Clegg	Johnson	Renner
Doerksen	Jonson	Severtson
Ducharme	Klapstein	Stelmach
Dunford	Kryczka	Strang
Evans	Laing	Tannas
Forsyth	Langevin	Tarchuk
Friedel	Lougheed	Taylor
Fritz	Magnus	Thurber
Graham	McClellan	Trynchy
Haley	McFarland	Yankowsky
Hancock	Nelson	Zwozdesky

Totals:	For – 13	Against – 42
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[Motion lost]

head: Government Bills and Orders
 head: Second Reading

**4:40 Bill 31
 Agricultural Dispositions Statutes
 Amendment Act, 1999**

[Adjourned debate May 3: Mrs. Soetaert]

MRS. SOETAERT: Actually, I probably have about two minutes left, I think, Madam Speaker, and I may just take those two minutes to recap the things I said.

This has been a long time in the process. I know that the Member for Drayton Valley-Calmr has done his bit on this and that it really is trying to find a balance between surface rights access and compensation for surface rights access on Crown grazing leases.

DR. TAYLOR: Filibuster this bill.

MRS. SOETAERT: I have no intention of filibustering this bill, but when I become so versed on it, I do enjoy speaking about it. This is a big issue in rural Alberta, especially down in your neck of the woods. The hon. member is distracting me from speaking through the chair, but I will continue to do that, Madam Speaker.

One of the things that's been brought up by some people who enjoy the outdoors – the kayakers, hikers, skidoos . . .

MS BLAKEMAN: Snowmobilers.

MRS. SOETAERT: Snowmobilers. That would be favouring one type of snowmobile over another. One wouldn't do that.

Access to these leases has been sometimes contentious and sometimes very co-operative. So we're looking for that kind of resolution within this bill, but I'm not sure we're going to see it.

We do have a few more questions. However, Madam Speaker, I know that my time is near the end, and I do appreciate once again recapping some of my concerns.

Thanks.

THE ACTING SPEAKER: The hon. minister responsible for science, research, and information technology.

DR. TAYLOR: Thank you. Well, as the member opposite pointed out, this is a huge issue in my constituency. I can say that this is probably the most difficult issue that I've had to deal with in six years. There's no doubt about it. I've had more calls on this issue than I've had on health issues. I've had more calls on this issue than I've had on education issues. I've had literally more calls on this issue than any other, and from well-reasoned and good-thinking people I would say as well.

There are a number of concerns that I have and that my constituents have raised with me regarding this bill. The first one, not in any particular order of importance, is the concern that it's causing the taxes to be paid to the provincial government. My municipal councillors don't even agree with this, for instance. They already have a procedure for collecting taxes from the ranchers. I should say my county councillors; I represent two counties, the county of Forty Mile and the county of Cypress. Even they do not agree with this idea of sending the taxes to the provincial government. They have a bureaucracy in place to collect taxes, as it sits right now, and we're going to create another bureaucracy inside the government to collect taxes. I mean, let's give our head a shake, folks. This makes no sense at all. We're a government that is supposed to be reducing bureaucracy, not increasing bureaucracy.

A second concern I have has to do with access and who controls the access. There are a number of concerns with access and how the access will be controlled. It is my very clear position that the access must be controlled by the producer, must be controlled by the leaseholder. There should be no other control on access. That goes as well for the oil surface roads, or whatever you want to call them, the oil leases inside the property. We cannot open this up for public access. I mean, who's going to control that? With this oil company road that runs halfway across my lease, who is going to say who can go on that road?

It is a huge problem. The oil companies won't be there to control access. Because it is no longer part of the lease, who will control access there? Who will manage that part of the lease that has been pulled out of the lease in terms of controlling weeds, in terms of managing that part of the lease? Certainly I can tell you that the oil companies won't be doing it. They'll send their gas well inspector in there once every month or once every two weeks, as often as he goes in there. They have no management procedures to look after the part of the lease that is pulled out. That's a huge issue.

I do not believe that we should be pulling the oil and gas dispositions out of this lease. I mean, it makes absolutely no sense. We have a history of stewardship from these ranchers. They have looked after these lands, some of them for a hundred years, and the land is in better shape now than it was a hundred years ago with the ranchers looking after them. We should not be pulling these dispositions out of the lease because it takes away from the management; it takes away from the stewardship. The people who have proven they are good stewards will no longer have any control on how that oil and gas disposition is handled.

I mean, if we're concerned about the money that some of these people get, we have to recognize that less than 50 percent of leaseholders actually have surface rights on their property, less than 50 percent. Of those, less than 3 percent actually have more than 10 wells on their property. So if we're looking at the overall perspective, of the total number of people with leases we will have between 1 percent and 1 and a half percent of leaseholders that have more than 10 wells on their property.

Well, what do 10 wells mean? The average payment for a well is between \$800 and \$1,100.

AN HON. MEMBER: That's wrong.

DR. TAYLOR: No, that's not wrong, member. That is absolutely true. The average payment is between \$800 and \$1,100.

If you want to take an average of, say, a thousand bucks, for instance, we have less than a percent and a half of leaseholders getting more than \$10,000 a year, and we're bringing in this act removing this disposition from the lease.

I think there need to be amendments, Madam Speaker, and I'm hoping the government will see fit to bring forward amendments as we go into Committee of the Whole.

Thank you for the time.

THE ACTING SPEAKER: The hon. Member for Lethbridge-East, followed by the hon. Member for Edmonton-Strathcona.

DR. NICOL: Thank you, Madam Speaker. It's a real privilege this afternoon to get up and continue debate on Bill 31. This bill is a result of a series of public consultations that went on in terms of a broad issue that we as Albertans and we as legislators need to address. This is basically the appropriate use and access of the lands which we still hold as part of the public domain in Alberta.

Now, there are extremes on both ends of these conditions. I've

had people call me and say: well, you know, the obvious solution to this is to just sell it all to the private sector; give it a title, and let them handle it as though it was private land. A lot of these lands are sensitive. A lot of these lands have an interest that goes beyond the idea of where a single use is appropriate for them. So we have to look at it from the context of what is best for Alberta and what is best for all of us as Albertans. We end up, then, having to look at how we can put in place a management process that serves both the competing uses and the public perception of the relative benefits that accrue from those uses and the approach that is taken to basically sharing those.

We also see that what we're now looking at is a process that culminated last fall with the publication of the final report of the Agricultural Lease Review Committee. What we ended up with is basically a series of recommendations in terms of how to modify or alter current practice in the concept of these lease situations, how they'll be able to be brought in line with how we deal with this public perception and the multiple use of these public lands.

Now, what you could do with the recommendations that were in that report is one of two things. Look at it from the context of: are any of those recommendations inconsistent with current law, current legislation, current regulations? Are any of them inconsistent with how we want to see actions taken to change the relationship between the leaseholders, or the agricultural disposition holders, and the public?

4:50

Madam Speaker, I would suggest that this action taken by the government right now moves a step beyond what I would have expected from the final report. What we've got is basically the option, as I said, of looking at the changes in legislation or regulations that are required and then allowing the process of law of contract to carry us through to implement those changes. Most of the changes that were recommended and debated and discussed in the context of the final report could have been implemented without any change in legislation.

All we had to do was wait until the current leases expire – they come up for renewal on a regular basis – and then sit down, in the context of a recognition of the importance and the legality of contract, and renegotiate the issues of access, renegotiate the issues of alternate use in the context of those lands and who has the benefit, renegotiate the concepts of what is appropriate compensation, renegotiate what is the appropriate method of handling local taxation, renegotiate the concept of what is reasonable within the context of adverse effect. These things could have all been handled under the process of contract law and essentially allowed us to be a government that appears to respect the process that we set out in our laws.

The option that we see here is basically passing legislation which makes null and void either parts or all of these contracts that we have signed with the leaseholders. Now we're trying to put in place options to look at how we deal with that. You know, it's probably a misunderstanding or a lack of keeping up as much that over time, because of the way the leases were negotiated and renewed and allowed to be used by the holders of those leases, they in essence have developed almost a proxy property right within their context, because they do have a value. They are tradable. They are assignable in the sense that you can take them to the bank and put them down as collateral. You can deal with them in that context in a whole series of ways that basically become part of a piece of property.

It's interesting, Madam Speaker, that we see a government here that a year ago passed a piece of legislation which protected

personal property rights, and now in this particular bill they're in essence saying that these contracts, which have taken on the concept of property, are now null and void because we've legislated them out of being and we're not giving compensation for them.

This has been a big debate reflected by a lot of the individuals in the context of contacts that I've had with farmers, with rural businesspeople. It hasn't been just the leaseholders that have raised these issues. They see this as an attitude or an approach that isn't all that acceptable in the context of, you know, we are supposedly a government that lives by the process of law. If we're going to do that, we have to have a continuity and an absolute adherence, effectively, to that law.

You know, this kind of proxy property or pseudoproperty that I was talking about was put in place before. We had a government program that supported the inland price of grain, if I might say it that way, when the federal government had the subsidies for transportation. This created a higher revenue for farmers in the inland areas of Canada. When they took that out, revenues were lost. There was an effect on the value of assets. The federal government recognized that even though it was not a direct impact of their action on that piece of land, their indirect effect had a value change on that land, and they compensated farmers under a program where they paid out on the basis of expected impact.

The interesting thing there was that they would not pay out to the landholder, the titleholder, until they could prove or get a signed statement from any tenant that they were in the process of being able to renegotiate that tenancy agreement, that land agreement, with their landlord, because the money was paid to the landlord.

Well, you know, that is the proper way to handle payments when there is more than one individual body involved in the decision-making process or the impacts that result from that decision-making process. Why is it that in this context we're going ahead and dealing with these as a public and not dealing with the possible impacts and the loss of value that occurs to, in essence, the tenants of our public land? We should be looking at and dealing with how they can be addressed as well.

The debate has centred around three or four particular issues as we look at the impact of Bill 31 and what it's going to do for farmers and how it's going to impact on the holders of these leases. The first one that I want to address – Madam Speaker, I'm going to speak to these recognizing that a lot of negotiations have been going on between the government and the leaseholder associations and representatives of some of the other agriculture groups and that possibly we'll be seeing some amendments. I've been told there are three or four amendments coming forward, and some of them have to do with some of the issues that I'm going to be talking about. Until I see the actual wording of those amendments, it will be difficult for me to say whether or not they will alleviate some of these concerns. So I'll just leave it, my discussion in the context of the issues as they relate to the bill as it stands now.

One is the issue of this property that we've been talking about and the idea that they're going to take out the site where an alternate use occurs. This is going to be put in place by, you know, just removing the site and a roadway into it. This then will effectively create a subpart of that lease or a new disposition held by a mineral developer or some other user as determined by the minister. This then has to be looked at in the context of how this gets related back to the individual.

When we talk about compensation, a lot of the holders of these leases have actually paid a capital value for that lease as it was brought into their operation because of the difference between the perceived revenues that they would receive and the calculated costs of maintaining the lease and paying the lease rate. If there's a

differential, then it gets capitalized into the value, and that's effectively what's happened. These leases now have a value. That's been recognized by the government by the application and the introduction of the transfer fee that has been in place for the past years. When any of these leases cover, there's a different transfer fee based on the animal unit/ month carrying capacity of the lease. Money gets paid then to the provincial government.

5:00

It's interesting to note that in the context of the new Bill 31 this is now going to be part of the legislation, as opposed to the old process, before Bill 31, where this was part of the regulations. This then makes it consistent with our recent Supreme Court rulings. This now is going to have to be identified as a transfer tax, not a transfer fee, unless it's an absolute amount not contingent upon the value as opposed to the service provided. So effectively what we've got now is a transfer tax on property. I've had a number of people, Madam Speaker, who've asked if this might someday, then, be transferred even to private property. I assure them that there's no relationship between the two, but they still have that suspicion.

The other thing that we have to look at is the move by the government in this bill – and it was brought up by the Member for Cypress-Medicine Hat – that they're effectively going to change the way that local governments get taxes from those leased lands. A process has been put in place where local governments have been allowed to tax the leaseholder on an agreement based on a value and mill rates that will allow them to get some local dollars to operate the infrastructure that's needed to service that lease.

What we're seeing now in this bill is that rather than assigning that tax responsibility directly to the leaseholder, which is the way it has been in the past, that tax liability is going to be now assigned to the provincial government. The provincial government then will be retrieving that from the leaseholders through a renegotiation of the lease rents. I hope so anyway, because we've got to get that money so we're not in essence, then, just creating a mechanism to transfer dollars from the provincial government to the local governments in lieu of the taxes that would have been paid on those properties. This in itself weakens the concept to some degree in terms of what the leaseholders were talking about in their approach to the property concept that was associated with that lease, because they said: well, if we're paying the tax on it, that means it has a value; it is ours. So by taking this off it, in a way it does weaken that argument for a relationship between property and the lease.

Madam Speaker, the next issue that I want to address again briefly is just the idea of surface rights compensation. This is when there's an impact that has occurred because of a secondary use, a multiple-use approach to it. Historically we've had the surface rights compensation paid to the leaseholders parallel fairly closely the adverse effect, et cetera, part that goes to the private landowner. Not the access payment, you know, the payment that you get for allowing them in, but the impact on your adjacent operation has been very similar on the leased lands to what it has been in the private sector for private landholders. This basically reflects the impact of a disruption of service, a loss of productivity, damages that occur.

So, in essence, as the member opposite from Cypress-Medicine Hat talked about, there's a real suspicion out there that some people are being overpaid, that some people are in essence not paying to the public a fair value when you look at it in the context of how they evaluate the loss associated with the ownership of that lease or with the use of that lease.

I guess, Madam Speaker, I would suggest that if a leaseholder can negotiate that kind of an arrangement with an oil company and the oil company pays it, you know, from our perspective as a public that

is a negotiation that went on where we weren't involved, except through the process that we've set up to mitigate it, prevent it from going to court with our Surface Rights Board. Maybe what we need to do is have a better mechanism through the Surface Rights Board for valuing impact, where 10 wells are not just 10 times what it is for one well. There's got to be a sliding scale, because the impact of one well is much greater on a per well basis than it would be for 10.

So maybe we need to look at renegotiating those kinds of things. This can be done, as I said, by renegotiating the contracts, making our Surface Rights Board operate under a set of different guidelines that are more reflective so that we don't have the public perception that individuals who hold public land leases are being compensated in excess of the amount that they're paying in lease value. The other thing is renegotiate their lease and put it into the new contract so that if they get a value in excess, that just gets added on to the value of the lease. So there's a dollar-for-dollar transfer back to the public. How can their lease, to them, be worth more than what it was when they're willing to pay the public for it?

So this is an issue of debate that goes on, and a lot of people have called and given me suggestions. Some of them are operational; some of them aren't. When we end up looking at the new option that's available in Bill 31, we see that the government is talking about taking the site out of the agricultural disposition, creating a separate disposition for that, and then there's always the reference to compensation being paid. I think we need to have the sponsor of the bill or the minister make some comments on how they see this compensation.

A lot of people now perceive that the money the leaseholder is getting is all of a sudden going to be in the provincial treasury. Well, Madam Speaker, I would wonder about that, because a mineral disposition holder has paid for the rights for exploration on that land. So if you give them that disposition to access that land, what adverse effect is there on the public, as a unit, from that? What impact or adverse effect would they have that the rancher, who had that previously as part of their full operation, would experience?

You know, this debate that's out in the public about all the money that's now going to be in the hands of the provincial treasury as opposed to in the hands of the ranchers: I think we need to have a better explanation of how that is actually going to work. Madam Speaker, I cannot see the oil companies paying the government for the dollars that used to go to the leaseholder for disruption of service compensation. They'll still be paying their payment for access to the land, yes, but not the adverse effect payment, because the adverse effect is not on the government. It's not on the public. It was on the leaseholder. By taking that new disposition out of the bigger lease, there's no adverse effect, at least not for that part.

Now, that brings up another issue then, Madam Speaker, in the sense that a lot of individuals are saying that by having that little subdivision or additional disposition in the middle of their bigger disposition, what it will still do is have an adverse effect on their operation. This can be tracked down to just basically the nuisance effect across the fence or oil service rigs entering, traveling across an open road, because my understanding is there's no intention to fence off a roadway. They'll only fence off the site and prevent the animals from getting to the site. There still will be disruption of service there. We don't have time this afternoon, but there's lots of examples of how that might occur.

5:10

My understanding is that there's been discussions with the leaseholders about how they can still get an option available for them to seek adverse effect compensation, even though the site of the new disposition is not part of their lease. So there can be adverse

effect, essentially, from an adjoining disposition. I guess I would ask the minister or the sponsor of the bill: if that is going to be the case, does this set a precedent for disposition and adverse effect claims on all of the aspects now? We've been approached by a number of people who've said: well, I know the oil well isn't on my private property, but because I'm the next farmer over, my cattle are still affected; my crops are still affected. Under current law they cannot sue the oil company for adverse effect.

Now, by doing this and by negotiating this potential for adverse effect on an adjacent lease, are we saying that in the private sector you now will also have the option to sue for adverse effect for something on another title? That has not been possible, so what we need to do is effectively make sure that when we look at these, we're making changes to the current process that are viable and that are still fair to everybody.

The only other thing I want to speak to very briefly, Madam Speaker, is the access issue. I think that besides the compensation the access issue is probably one of the precipitators of this whole review of the lease. Public lands are that: they are public lands. We as the legislators and the governors of that public land have undertaken to lease these out for the public interest, and historically we've seen that to be basically for grazing and occasionally for oil drilling. As our population has grown in Alberta, more and more pressure is coming on to these leased lands to have access to them for other uses, because the remaining lands in the province are being crowded out, if I might say so, in our vast province. But we still have to make sure that we respect the fact that these first and foremost are public lands. How can we, then, get in place a process that will respect the needs of the agricultural disposition holder and the public?

I respect the proposal in this bill that we will have a consultation process – at least that's what we've been told – in setting the regulations. We have to make sure that all of Alberta, all Albertans have a chance to have input into that, but we have to make sure that it's also balanced in the context of how we get input from persons who are going to be dealing with these kinds of alternate uses and multiple uses.

The end result is that the bill proposes to change the definition of trespass, the definition of liability, and it puts an onus on the agricultural disposition holder to provide reasonable access. Madam Speaker, reasonable is, I guess, one of the most broad-based definition words that we have in the English language.

MS BLAKEMAN: Elastic.

DR. NICOL: Yes. Elastic. Thank you, hon. member.

It can be used for almost anybody's definition, and we have to look at this in the context of how we're going to pull this down into a manageable definition. We've in essence said that access has to be provided. If not, there's a penalty to the leaseholder, and that leaseholder can be subject to fines.

On the other side, there's nothing that says that if access is granted and damage results, there is a mechanism for compensation. What we've seen in a lot of cases, Madam Speaker, is that when the public good is there, we have set up a number of processes like the wildlife damage fund, you know. So if you have a crop out there and the geese come down and land on it and they eat it all up, you can apply and money is raised for that from part of the hunting licences. What you end up with is a fund being created so that damages to the property, when there's a public good associated with it, can be compensated.

I'd like to encourage the minister and the sponsor of the bill to make sure that as we move forward with this bill, there will be a mechanism put in so that the leaseholder can be compensated for any

adverse effect that results from public access. Some of these leaseholders have spent vast amounts of money improving those leases, putting facilities on there for cattle handling, and they need to have the assurance that if damage is done, there will be something. I'm sure they will then be very reasonable in their access.

Madam Speaker, I want to just conclude by saying that this bill accomplishes what the public seems to want, but we could have accomplished that by not having to legislate the destruction of contracts. We could have renegotiated those contracts, and probably in the same time span had the same result on behalf of the people of Alberta. I think we've got to look at that as an option. We've got to look at it from the perspective of: can we achieve what we want in that same time frame, approximately 10 years, by doing it in a renegotiation of contracts so that we respect the whole idea that in a democracy we have to respect laws?

Thank you, Madam Speaker.

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

DR. PANNU: Thank you, Madam Speaker. I guess we have only about 10 or 12 minutes left before the adjournment, but I would like to take this opportunity to speak briefly to Bill 31 at second reading. The Agricultural Dispositions Statutes Amendment Act, 1999, proposes some, in my view, welcome changes to the existing legislation. It certainly will impact the leaseholder interests. There's no doubt about it. The question is whether or not these impacts are reasonable.

I recall listening to the Member for Drayton Valley-Calmar the day he introduced this bill, and in his introductory observations he reminded the House that the bill deals only with public lands and not with private lands and that the changes that are proposed in the bill are essentially changes in arrangements with respect to grazing leases. I want to spend the about 10 minutes that are at my disposal to make observations on three aspects of the bill.

One is of course the nature of the leases that will be altered as a result of changes proposed in this bill. In my view the alterations are to leases which really are about the use of leased land for grazing purposes. The uses of land for purposes other than grazing, therefore, should be a matter for us to consider with a view to asking the question whether or not those other uses of public land are serving the public interest as much as they might be serving leaseholder interest.

I submit, Madam Speaker, that I think I certainly would support the principle underlying this bill, which draws attention to this other than grazing uses of portions of the leased land, and that any revenues accruing from these other uses, industrial or commercial uses, that may already be in place should really become part of the provincial revenues. So I have no problem with this principle of the bill that other than grazing uses to which these leased lands might have been put and the revenues that they may generate from other than grazing purposes should therefore in fact be something that we as Albertans should have a claim to.

5:20

It's difficult at this point to make a reliable assessment of what additional revenues these changes in the leasing arrangements proposed in this bill will generate for the public treasury. I have seen different figures. I think it could be close to \$13 million to \$15 million or perhaps more, but I'm not entirely certain about the reliability of the figures on this. The question is: if these revenues are to be taken away from the leaseholders, should they in fact end up in the general revenue fund, or should these revenues be put in a

special fund that can then be used for some sort of conservation purposes? A conservation resource management fund would be a good place to put this money.

I met with a fairly large number of conservation organization spokespersons in Calgary about four months ago. All of them were interested in what would appear in this bill. They of course at that time had the member's report, the Thurber report, in their hands, and they were looking at its recommendations. There was one rancher from southern Alberta present at this meeting as well, and even he was of the view that if these revenues are to be taken away from the leaseholders, then they should not end up in the general revenues of the province but should rather be put in a special fund that could then be used and should be used for conservation resource management purposes. So I think that's a very good proposal.

Concerning the Natural Heritage Act, which I think may not come back for debate in this session of the House, I think there were questions posed to the Minister of Environmental Protection as to why he does not set up a fund to buy back some of the dispositions that presently exist in highly sensitive natural heritage areas of the province. I would suggest that this particular fund, if generated from the revenues that are diverted from leaseholders onto the public side, should perhaps be the first step in the direction of creating such a fund, which then could be used for all kinds of conservation purposes.

My second observation, Madam Speaker, has to do with the sort of grandfathering provision of 10 years. If it is a good thing to move in the direction of making a public claim on the revenues that accrue from other than grazing use of the land under lease, then I think the sooner the better. Why wait for 10 years? I would rather see this waiting time reduced to five years so that we can very quickly move towards creating a fund which can then be used for conservation resource management purposes. It makes sense. If the reasoning, the rationale for the public receiving these funds from gas and oil companies' use of portions of these leased lands which when leased were supposed to be used for grazing – then I think it makes good sense to move in this direction now rather than move in the direction later.

The other concern that I have in the bill – and the bill doesn't make any statements on this, is silent on this. There is no assurance in this bill that once this legislation is proclaimed and comes into effect, compensation paid to the Crown or to the public treasury by

way of these other users of these leased lands, revenues generated from gas and oil company activity on these leased lands, will not be reduced over a period of time. This government has had a tendency to make special gifts to oil and gas companies, to this industry in this province. My concern is that you could take this money away from the ranchers and the leaseholders and then gradually give it away to the oil companies, and that will not serve any public purpose.

So I would like to see some commitment in this bill that the revenues that are generated by way of these changes proposed here should not be whittled away, should not be given away to these private operators who subject these lands to industrial and commercial use, be they oil companies or gas companies or whoever it is who's subjecting these lands to these uses. I would like to see some assurance, and there isn't any in this bill. So I raise this issue, and we can go back to it in the next stage of the study of this bill.

The issue of access, particularly access for recreational purposes, is another one. Certainly the letters that I've received and the conversations that I've had with interested citizens have to do with foot access, recreational access to these public lands, lands that are under lease. The whole issue of trespassing is a matter of concern to many recreational users as well as to people who want to have foot access to go through these lands in order to access the rivers or lakes or what have you. So there are concerns with respect to public access. My concern about it is not so much whether or not such access will result in adverse effects for leaseholders but that the provisions of the bill, the changes in the bill, may restrict access to lands which are indeed public in nature and therefore should be accessible for recreational or personal use.

The question of liability certainly does arise. This, however, can be dealt with certainly in a variety of ways. The people who want to have foot access or people who want to have recreational access to and through these lands to other areas could, of course, be obliged to sign disclaimers with respect to any liability or damage that might occur or harm that may result to them if they use this land which is public land but under lease. So the issue of trespassing is worrisome, and the issue of recreational access is worrisome.

I think, Madam Speaker, that time has run out. I will have another chance to speak to the bill in another reading of it. Thank you.

[The Assembly adjourned at 5:30 p.m.]

