

## Legislative Assembly of Alberta

Title: **Tuesday, November 28, 2000**

**1:30 p.m.**

Date: 00/11/28

[The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon.

At the conclusion of the prayer would all hon. members please remain standing.

Let us pray. O God, grant that we the members of our province's Legislature may fulfill our office with honesty and integrity. May our first concern be for the good of all of our people. Guide our deliberations this day. Amen.

**Michael Maccagno**

**July 15, 1914, to November 25, 2000**

THE SPEAKER: Hon. members, it is with sadness that my office learned today of the passing of former member Michael Maccagno on Saturday, November 25, 2000. Mr. Maccagno was first elected to the Alberta Legislature in the general election of June 29, 1955, and served until May 27, 1968. During his years of service he represented the constituency of Lac La Biche for the Liberal Party and also served as leader for the Alberta Liberals.

During his years in the Legislature Mr. Maccagno served on the following committees: the Select Standing Committee on Agriculture, Colonization, Immigration, and Education; Municipal Law; Municipal Law and Law Amendments; Private Bills; Privileges and Elections, Standing Orders and Printing; Public Accounts; Public Affairs; Railways, Telephones, and Irrigation. Mr. Maccagno also served on the special committees on Centralization and Consolidation of Schools, Collective Bargaining between School Trustees and Teachers, Commercial Fisheries, Commonwealth Parliamentary Association, Electoral Boundaries, Ombudsman Search, and Preventive Health.

With our admiration and respect there is gratitude to members of his family, who shared the burdens of public office. Our prayers are with them.

In a moment of silent prayer I ask you to remember Michael Maccagno as you have known him. Rest eternal grant unto him, O Lord, and let light perpetual shine upon him. Amen.

Please be seated.

head: Presenting Petitions

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

MR. YANKOWSKY: Thank you, Mr. Speaker. I rise to table nine petitions containing 527 names from the Cardston-Taber-Warner constituency, 22 names from the Leduc constituency, 160 names from the West Yellowhead constituency, 54 names from Red Deer-South constituency, 36 names from the Livingstone-Macleod constituency, 97 names from the Vermilion-Lloydminster constituency, 200 names from the Whitecourt-St. Anne constituency, 20 names from the Peace River Constituency, and 167 names from various Alberta constituencies.

Mr. Speaker, the petitioners are urging the Legislative Assembly of Alberta to introduce amendments to the Alberta human rights act "to allow Alberta health professionals to opt out of those medical procedures that offend a tenet of their religion, or their belief that human life is sacred."

THE SPEAKER: The hon. Member for Banff-Cochrane.

MRS. TARCHUK: Thank you, Mr. Speaker. I wish to present a petition signed by 32 residents of Banff-Cochrane requesting the Legislative Assembly to allow health professionals to opt out of medical procedures for reasons of conscience.

Thank you.

MR. MASON: Mr. Speaker, I have a petition signed by 110 Edmontonians opposed to the Liberal Bill 211, which would require any tax increase to be subject to a provincewide referendum.

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

DR. PANNU: Thank you very much, Mr. Speaker. I have a petition signed by 754 Albertans, most of them postsecondary students, and the petition reads as follows:

Whereas, post-secondary education is the key to Alberta's future prosperity,

And whereas, post-secondary education is becoming unaffordable for most families

We the undersigned residents of the province of Alberta hereby petition the Legislative Assembly to urge the Government of Alberta to reduce post-secondary tuition fees by 30%.

Thank you, Mr. Speaker.

head: Reading and Receiving Petitions

THE SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. I would like to have the petition I presented last Wednesday now read and received.

Thank you.

THE CLERK:

We, the undersigned residents of Alberta, petition the Legislative Assembly of Alberta to urge the Government of Alberta to introduce amendments to the Human Rights, Citizenship and Multiculturalism Act to allow Alberta health professionals to opt out of those medical procedures that offend a tenet of their religion, or their belief that human life is sacred.

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

MRS. LAING: Thank you, Mr. Speaker. I request that the petition I presented on Tuesday, November 21, be now read and received.

Thank you.

THE CLERK:

We the undersigned residents of Alberta petition the Legislative Assembly of Alberta to urge the Government of Alberta to introduce amendments to the Human Rights, Citizenship and Multiculturalism Act to allow Alberta health professionals to opt out of those medical procedures that offend a tenet of their religion, or belief that human life is sacred.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills.

MR. MARZ: Thank you, Mr. Speaker. I would like to ask that the two petitions I presented on November 22 be now read and received.

THE CLERK:

We, the undersigned residents of Alberta, petition the Legislative Assembly of Alberta to urge the Government of Alberta to introduce amendments to the Human Rights, Citizenship and

Multiculturalism Act to allow Alberta health professionals to opt out of those medical procedures that offend a tenet of their religion, or their belief that human life is sacred.

MR. MASON: Mr. Speaker, I would ask that the petition I presented on November 27 be now read and received.

THE CLERK:

We, the undersigned residents of Alberta, hereby petition the Legislative Assembly not to pass Bill 211, which would create social division and threaten long-term, stable funding for schools, hospitals and other important services.

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

MR. YANKOWSKY: Yes. Thank you, Mr. Speaker. I would ask that the petition I presented yesterday be now read and received.

THE CLERK:

We, the undersigned residents of Alberta, petition the Legislative Assembly of Alberta to urge the Government of Alberta to introduce amendments to the Human Rights, Citizenship and Multiculturalism Act to allow Alberta health professionals to opt out of those medical procedures that offend a tenet of their religion, or their belief that human life is sacred.

head: Notices of Motions

THE SPEAKER: The Associate Minister of Health and Wellness.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise pursuant to Standing Order 34(2)(a) to give notice that tomorrow I will move that the following written questions that appear on the Order Paper be called for consideration, being questions 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, and 37.

I am also giving notice that tomorrow I will move that the following motions for returns also appearing on the Order Paper be called for consideration. They are 51, 52, 53, 54, 55, 56, 57, and 58.

Thank you.

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

MS LEIBOVICI: Thank you, Mr. Speaker. I rise this afternoon to give notice that at the start of private member's business today I will be seeking unanimous consent of the Assembly to advance Bill 221, the Public Health Care Protection Statutes Amendment Act, 2000, to be the next bill dealt with in private member's business. I would stress that there is urgency in debating Bill 221, which repeals Bill 11.

Thank you.

1:40

head: Tabling Returns and Reports

THE SPEAKER: The hon. Minister of Infrastructure.

MR. STELMACH: Thank you, Mr. Speaker. I am pleased to table the appropriate number of copies of the School Facility Evaluation Project Final Results along with the summary of the audited results of all 1,463 schools. The individual reports are currently being loaded onto Alberta Infrastructure's web site and will be available next week through our home page by following the links.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. PASZKOWSKI: Thank you, Mr. Speaker. I'd like to table a copy of a letter that I sent today to the Member for Edmonton-Gold Bar responding to the question that he had asked in the Legislative Assembly on November 23, 2000.

MR. JONSON: Mr. Speaker, I would today like to table eight copies of the Department of Environment's response to Motion for a Return 18 as requested by the Member for Edmonton-Ellerslie.

Thank you, Mr. Speaker.

THE SPEAKER: The Minister of Agriculture, Food and Rural Development.

MR. LUND: Thank you, Mr. Speaker. I have a number of tablings today, the first being six copies of the Alberta Opportunity Company's annual report.

Second, six copies of the Agriculture Financial Services Corporation.

Also, six copies of the Livestock Identification Services Manager's Report for the period April 1, 1999, to March 31, 2000, which under its delegated agreement includes annual reports for the following four acts: the Brand Act, the Livestock Identification and Brand Inspection Act, the Livestock and Livestock Products Act, and the Stray Animals Act. The audited financial statement for the year ending March 31, 2000.

Lastly, I'd like to table the following information item: six copies of the Alberta Grain Commission's annual report 1999-2000.

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

MR. DUNFORD: Thank you, Mr. Speaker. I'm pleased to table with the Assembly the 1999-2000 annual report for the Association of Professional Engineers, Geologists and Geophysicists of Alberta.

Then on behalf of the hon. Minister of Learning I'm pleased to table with the Assembly the 1999-2000 annual report for the Alberta Apprenticeship and Industry Training Board.

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

MRS. SLOAN: Thank you, Mr. Speaker. I'm pleased to rise today and table the Social Care Facilities Review Committee investigation report arising from the death of Mr. Wayne Oles at the Herb Jamieson Centre on August 7, 1998. This was obtained under the freedom of information act by the Member for Edmonton-Riverview on September 29, 2000.

My second tabling is a notice of motion filed in the Court of Queen's Bench between Ms J and the province of Alberta, which clearly cites that Ms J's failure to testify will result in her imprisonment, a fine, or the striking down of her suit.

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

MR. WICKMAN: Thank you, Mr. Speaker. I have another set of tablings from the association of brain injury outlining their concerns in the form of a questionnaire. I will table the appropriate number of copies in the House today.

Thank you.

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

MS BLAKEMAN: Thank you, Mr. Speaker. I have five letters here today from constituents of Red Deer-South, Calgary-Varsity,

Calgary-Currie, and Medicine Hat, and I'd like to table the appropriate number of copies of the letters. All of them are talking about the lasting educational, social, and economic benefits of the arts in Alberta and, in particular, asking the government to increase funding to the Alberta Foundation for the Arts.

Thank you.

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

**MRS. SOETAERT:** Thank you very much, Mr. Speaker. I have five copies here of a letter sent from Doug Clavette to the minister of health. He's battling cancer, he lives in Calahoo, and he is requesting payment for the MRI that he had to pay for that was medically necessary. He wrote in June and has still not received a reply from the minister.

**THE SPEAKER:** The hon. Member for Edmonton-Glenarry.

**MR. BONNER:** Thank you very much, Mr. Speaker. With your permission I would like to table the appropriate number of copies of letters from 15 tourism operators in the Solomon Valley area northwest of Hinton. They object to plans by Weldwood Canada to cut timber in the area known as Athabasca 4 in the Solomon Creek watershed. They wish to remind the government of the importance of a maintained land base for tourism activities in this area.

Thank you.

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

**DR. PANNU:** Thank you, Mr. Speaker. I have four tablings today. The first tabling is a document prepared by the Northern Alberta Alliance on Race Relations. It's called All Colours are Beautiful. This booklet is a teacher's resource kit which uses literature to illustrate situations of racial discrimination to young people and allows an open discussion of racism and its implications.

My second tabling, Mr. Speaker, is a copy of a letter from Paul Boisvert to John Pilipchuk, a board member of the Lakeland regional health authority. This letter seeks "full explanation of the events leading up to the disposal at the sanitary dump of totally functional computer equipment" from St. Therese health care centre in St. Paul.

The third document, Mr. Speaker, is a news release from the Flagstaff county area. It's a letter that's written by citizens opposed to the hog plant development in the area. The letter protests the approval by the appeal board of a large hog plant operation there.

The last tabling, Mr. Speaker, is a copy of a letter of November 14, 2000, addressed to the hon. Member for Banff-Cochrane in which Janet Brygger and Anthony Neilson of Exshaw express their concern over the already high pollution levels in the Exshaw and Bow Valley areas and over Lafarge Canada's proposed coal conversion.

Thank you, Mr. Speaker.

**THE SPEAKER:** The chair would like to table five copies of a memorandum from the hon. Member for Calgary-Fort requesting that Bill 209, Employment Standards (Parental Leave) Amendment Act, 2000, be brought to third reading on Wednesday, November 29, 2000.

**head:** Introduction of Guests

**THE SPEAKER:** The Associate Minister of Health and Wellness.

**MR. ZWOZDESKY:** Thank you, Mr. Speaker. It's indeed a great pleasure for me to rise and introduce to you and through you to all

members of this great Assembly some very special visitors who are here today from Julia Kiniski elementary school, which is definitely one of the best schools on the planet Earth. They are accompanied by teacher Janis Parrott. Yesterday they were here with Donald Douglas. They are participating in the School at the Legislature at the behest of yourself, Mr. Speaker, and we're very grateful for that. They're having a wonderful time. I'd ask them to please rise and receive the very warm welcome of all members of the Assembly.

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

**MRS. O'NEILL:** Thank you, Mr. Speaker. It gives me great pleasure today to introduce to you and to all members of this Assembly 30 members and their guests of the Probus Club of central Edmonton. Probus Club is a group of professional and business persons who gather together for the purpose of fellowship and certainly of lifelong learning. They are seated both in the members' gallery and in the public gallery, and I would ask them to please rise and receive the warm welcome of this Assembly.

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

**MR. MacDONALD:** Thank you, Mr. Speaker. I would like to welcome and introduce to you and through you to all hon. Members of this Legislative Assembly 11 students from Concordia University, Gold Bar campus, and their teacher, Dr. Linda Kerr, who are visiting the Legislative Assembly this afternoon. They are going to come to the public gallery at 2 o'clock to observe question period. I would now ask all hon. members to please welcome them when they visit the Assembly.

Thank you.

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

**MR. WICKMAN:** Thank you, Mr. Speaker. It's my privilege to introduce to you and through you to Members of the Legislative Assembly 90 grades 5 and 6 students from one of my favourite schools in the riding of Edmonton-Rutherford, Richard Secord elementary school. The 90 students today are accompanied by five teachers, Mr. Bryan Rosychuk, Miss Jan Scammell, Mr. Milles Collins, Mrs. Renee McLaws, and two parents, Mrs. Jayne Bawden and Mrs. Janice Peters. They are in the public gallery and the visitors' gallery. I would ask them to all stand at this time and receive the warm welcome of the House.

1:50

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

**DR. PANNU:** Thank you, Mr. Speaker. I have two introductions. The first one. I'm very, very pleased to introduce to you and to all members of the Assembly Ms Lan Chan-Marple, who is the executive director of Edmonton Chinese Community Services Centre and a board member of the Northern Alberta Alliance on Race Relations. She's also working on her PhD degree at the University of Alberta. Ms Chan-Marple is strongly committed to the promotion of human rights and elimination of racism in Alberta. Her organization, the Northern Alberta Alliance on Race Relations, is commemorating International Human Rights Day on December 8, 2000. I'll ask Ms Chan-Marple to please rise and receive the warm welcome of the Assembly. She is sitting in the public gallery.

Mr. Speaker, my second introduction. Again, I'm very pleased to introduce to you and to all members in this Assembly Merrill Stewart, who is a New Democrat candidate for Clover Bar-Fort

Saskatchewan. I'll ask Mr. Stewart to please rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Minister of Infrastructure.

MR. STELMACH: Thank you, Mr. Speaker. I wish to introduce to you and through you to members of this Assembly special guests that will be arriving in the Assembly at 2 o'clock. These are 29 students from Lamont high school. They are accompanied by teachers Mr. Blair Charlton and Mr. Todd Eistetter. In their absence may we welcome them with warm applause.

Thank you.

THE SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to the members of this Assembly 27 grade 6 students from the Thorhild school in my constituency. They also will not be arriving until 2 o'clock but will be observing question period. They are also accompanied by two teachers, Mr. Mike Popowicz and Mrs. Linda Ewaskow, and by parent helpers Mrs. Petra Roche, Mrs. Deb Hamilton, Mrs. Teri Green, Mrs. Sherrie Kapach, Mr. Kevin Kapach, and Mr. Harold Hamilton. I would ask that we please give them the warm welcome of this Assembly.

head: Oral Question Period

#### **Electricity Price Fairness Review**

MRS. MacBETH: Mr. Speaker, this morning when I was thinking about my questions for today at 1:30, I was trying to think of what the government was going to do to bring down electricity prices that are skyrocketing on January 1. I decided that the government's answer was either going to be that they were going to intervene in the marketplace or they were going to subsidize a market with taxpayer dollars. Well, it's clear now from their announcement that they've decided to do both. So why did this Premier under his KEP mislead Albertans that prices were going to go down and has decided to intervene in the marketplace now that prices are clearly skyrocketing?

MR. KLEIN: Mr. Speaker, we still believe that prices will go down in about a year and a half, when more power comes onstream. It's a simple fact that supply and demand dictate price, and that indeed will happen. Deregulation is going ahead.

I would remind the leader of the Liberal opposition that this government always said – always said – that it would monitor prices and listen to consumers and respond accordingly. We have always said that, Mr. Speaker. We made two major announcements earlier this fall in anticipation of rising prices under a regulated environment. We introduced the energy tax refund and the electricity option rebate. This latest announcement, this announcement today, provides further relief from short-term – and I stress: short-term – price fluctuations.

MRS. MacBETH: Will the Premier admit that his deregulation plan, his KEP, is a disaster now that he has decided to try to re-regulate the market?

MR. KLEIN: Mr. Speaker, absolutely not.

MRS. MacBETH: How will this Premier's intervention in the

marketplace solve the fundamental problem of lack of supply of power in this province?

MR. KLEIN: That, Mr. Speaker, is a good question. It is a good question. If the leader of the Liberal opposition has the answer, if she can snap her fingers like this – you know, just as she thought this morning, if that bright light can go on just as quickly as her mind went into gear, we would have absolutely nothing to worry about.

Mr. Speaker, you simply don't bring on power overnight. You have to build generation plants, and that is a huge capital endeavor. We have indications now that the power companies plan to bring on more power. We've had announcements from EPCOR. We see Luscar now contemplating a major power project in southeastern Alberta. We've had some indication from TransAlta Utilities that they plan to bring on more power. We see a lot of cogeneration coming onstream, but I have to reiterate: it does not happen overnight.

MR. CARDINAL: Mr. Speaker, in relation to electrical capacity, as you are aware – and I have indicated this in the House before – the peak demand in Alberta at this time is 7,247 megawatts. We presently have access to over 9,400 megawatts. So the capacity is balanced presently. As far as new generation, we have over 400 megawatts that's on-line now and another 1,600 megawatts that will come onstream in the next two or three years. As the Premier said, when this stuff comes onstream, no doubt the electricity rates will go down.

Mr. Speaker, in addition to that, on a day-to-day basis we are getting inquiries as to people interested in putting electricity in Alberta, and we'll continue meeting with those people.

MRS. MacBETH: Mr. Speaker, will the Premier admit that his actions today are going to create more not less, more uncertainty in the marketplace and that prices will rise accordingly?

MR. KLEIN: No. As a matter of fact, by law and through regulation prices will not rise. The announcement made today is to enhance the reliability of the Alberta electricity supply and to stabilize prices. There are some reasons, Mr. Speaker, and it's not deregulation. It's a matter of electricity that we have to import from B.C. Hydro, the good cousins of the NDs to the west, that is causing some severe spikes in rates. We're going to deal with that problem.

I'll have the hon. minister respond.

MR. CARDINAL: Yes, very briefly, Mr. Speaker. Today's announcement was part of the ongoing monitoring of the process of deregulation. It is only one part of the 10-point action plan we announced. We will continue monitoring the situation and make adjustments accordingly to serve Albertans the way they want to be served.

MRS. MacBETH: Mr. Speaker, when did this Premier change his mind about being back in business and become such a massive intervenor in the marketplace of this province?

MR. KLEIN: I am astounded. I am astounded. Here they have been chirping away for the last two weeks now saying: you've got to do something to protect consumers. We do something to protect consumers, Mr. Speaker, and they don't like it. Anything that we do that is good, they think is bad. Anything that we do that is bad, well, they think it's good. I mean, this is not the role of the opposition. The role of the opposition is to offer constructive criticism and to work with the government. The role of the opposition is to work

with the government to make sure the consumers of this province are protected. That is precisely what we are doing, and they refuse to help.

2:00

MRS. MacBETH: Mr. Speaker, could the Premier answer the question as to how many other businesses in this province he intends to intervene in in the coming years?

MR. KLEIN: Mr. Speaker, this is a situation that is very unusual, a situation that has occurred in a regulated environment, and we have an obligation. Our first step was to introduce the energy tax refund and the electricity auction rebates. We said that we would monitor prices and we would take, if necessary, appropriate action to protect the consumer. That's exactly what we are doing under this very severe circumstance.

MRS. MacBETH: Mr. Speaker, how much will it cost the taxpayers of this province to intervene in this manner that the Premier is proposing today?

MR. KLEIN: Mr. Speaker, I don't know what the costs might or might not be. Perhaps the hon. Minister of Resource Development has a better handle on that.

THE SPEAKER: Hon. minister.

MR. CARDINAL: Yes, Mr. Speaker. It shouldn't cost the taxpayer any more than what we have, because we have existing staff doing the work that are paid already.

MRS. MacBETH: Mr. Speaker, could the Premier just explain for Albertans what is going on here? Is he continuing with deregulation, or is he back into re-regulation? The power suppliers of this province would like to find an answer.

MR. KLEIN: Mr. Speaker, we are continuing with deregulation. Those people who want to buy power in a deregulated environment will be able to do so after January 1. Those residential consumers and farm consumers who want to stay in a regulated environment can do so after January 1. What we have done today is we have announced that the prices are going to be held virtually constant for the next year while the Alberta Energy and Utilities Board conducts a full price fairness review. I think that that is a reasonable and responsible action on the part of this government in terms of protecting the marketplace.

MRS. MacBETH: Mr. Speaker, the Premier can use all the bravado that he wants, but how much is he is going to spend to make sure that businesses and the economic cycle of this province generate more power rather than government intervention in the marketplace?

MR. KLEIN: Mr. Speaker, one has to assume that if there is power to be used, there is power to be generated. Because of the tremendous economic growth and prosperity of this province it stands to reason that the power companies will be generating more power because the demand is already there and it's going to be increased in the future. So if there are buyers out there for the power, the power generators will make sure that there is power to sell. It's as simple as that.

THE SPEAKER: Hon. members appear to be rather charged today.

### Electric Utilities Deregulation

MR. MASON: Mr. Speaker, the government promised Albertans lower electricity prices under the deregulated regime. The opposite has been the case so far. Even the term deregulation is a misnomer. Prior to the so-called deregulation there were only four regulations governing the entire system. Until today under deregulation there were 32 regulations. I have them here. Today the government approved three more, bringing the total number to 35 regulations under deregulation. Will the Premier admit that the current regime is so complex that not even the government can understand it and that the only way to bring power prices under control is to completely reverse themselves and re-regulate prices as they have done today?

MR. KLEIN: Well, we're in a regulated environment right now. Mr. Speaker, if anyone should know about regulated price increases and raising rates without going through the Alberta Energy and Utilities Board, simply going to city council – this hon. member knows all about raising rates in a regulated environment because he's been part of it for at least the past three or four years as a member of the EPCOR board.

MR. MASON: Mr. Speaker, the Premier is as usual completely wrong. His facts are not correct.

How can the Premier pretend that when the government is intervening in the marketplace, it is not re-regulating?

MR. KLEIN: Mr. Speaker, I think there is a vast difference between re-regulating or going back into a regulated environment and protecting consumers from rising electricity costs under a regulated regime.

MR. MASON: Mr. Speaker, after today how can this Premier look Albertans in the eye with a straight face and pretend that this government knows what it's doing in the electrical industry?

MR. KLEIN: Mr. Speaker, I would remind the hon. member that all of the rate riders applied for by companies and in many cases approved, including EPCOR, were approved under a regulated environment.

THE SPEAKER: The hon. Member for Grande Prairie-Wapiti, followed by the hon. Member for Edmonton-Calder.

### Doctors' Fee Negotiations

MR. JACQUES: Thank you, Mr. Speaker. Last Friday many of my constituents were astounded . . .

AN HON. MEMBER: And outraged.

MR. JACQUES: And many of them were outraged, Mr. Speaker. They're very concerned to learn about the Alberta Medical Association taking job action in the form of withholding services only some four months prior to the current contract expiring and despite an offer by the government of 28 percent over two years. All of my questions are to the minister of health. The first question is: how do the existing fees for doctors in the province of Alberta compare with those in other provinces?

MR. MAR: Mr. Speaker, we've done a survey of the 263 most frequently used fees in five provinces, the four western provinces and Ontario, and in 62 percent of the cases Alberta's rates ranked

either first or second. Of course, that means that the other fees are not in the top two, but we have made a fair offer that keeps Alberta's fees competitive.

Mr. Speaker, currently our medical services budget, out of which physicians are paid, is approximately \$1 billion. Our offer currently is to increase that by \$263 million, or 28 percent, over two years. That compares with the Alberta Medical Association's opening position asking for \$644 million. Currently their position is \$525 million.

THE SPEAKER: The hon. Member for Grande Prairie-Wapiti.

MR. JACQUES: Thank you, Mr. Speaker. I'd like to know what component of that government offer is with respect to specific physician fees.

MR. MAR: Mr. Speaker, the \$263 million relates to a number of different areas. With respect to fees, the portion of that that relates to fees, the 28 percent increase is 13.4 percent over two years.

THE SPEAKER: Hon. member.

MR. JACQUES: Thank you, Mr. Speaker. Based on comparable taxable incomes for the next taxation year, as a result of the single-rate tax and other tax initiatives how much lower will income taxes be for Alberta doctors as compared with other provinces?

2:10

MR. MAR: Mr. Speaker, with the fee increase that has been offered by the provincial government in these negotiations, the average billings for a physician will go from \$195,000 to \$221,000 a year. That would be the average billings. In answer to the hon. member's question about the tax position of such a physician, physicians in Alberta in that range would be taking home between \$10,000 and \$30,000 a year more because of tax savings in this province compared to other provinces in Canada.

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

### **Electricity Price Fairness Review** (continued)

MR. WHITE: Thank you, Mr. Speaker. The Alberta Energy and Utilities Board is supposed to be a quasi-judicial body set up to be an independent review of the amount of regulated oil, gas, and utilities in Alberta. Last week this government through the Premier was to intervene in these hearings. This week and today he is ordering the hearings to do something that we're not sure of. Sir, what has changed from last week to this week other than yesterday's election?

MR. KLEIN: Well, Mr. Speaker, if the hon. member would read the act – he doesn't need to read all the act, just one page or so. Under the Electric Utilities Act the government of Alberta has the authority to direct the EUB to conduct fairness reviews. All we are doing is using our authority to make sure that what is done is indeed done fairly and in the best interests of the consumers of this province.

MR. WHITE: In that the board is currently under the understanding that they're doing exactly that, reviewing all the inputs for the costs for the stable rate option and for the proposed rider rate surcharges, what's different between what they're reviewing now and what we are proposing they review for the next year?

MR. KLEIN: Mr. Speaker, I'll have the hon. Minister of Resource Development supplement. The AEUB now is dealing with specific applications for rate increases. This is more of an omnibus kind of action that really in a more global and more generic sense studies and reviews the fairness of electricity prices in general.

I'll have the hon. minister supplement.

MR. CARDINAL: Yes. Mr. Speaker, today's announcement, of course, was part of our 10-point action plan. It covers a number of areas: the rate riders, which the hon. member is asking about, and the import prices and also direct sales.

As far as the EUB's function, the EUB doesn't only deal with electricity. It deals with a broad section of responsibilities out there, and they continue to do a wonderful job. We are very confident that in the end they will do a good job of this added process that they are going through.

MR. WHITE: In that the minister continues to say that he has listened and responded to the needs of the province of Alberta and that there's the knee-jerk reaction of today's announcement, is that simply not another way of saying that you're flying by the seat of your pants in this electricity deregulation plan?

MR. KLEIN: Mr. Speaker, I have to reiterate that this government said back in September that we would carefully monitor this situation, that we would continue to monitor prices, that we would listen to consumers, and that we would respond accordingly. We said that back in September. That was deemed to be appropriate action on the part of this government, and I didn't hear the opposition squealing at that particular time.

At that time and in anticipation of rate increases under a regulated environment, we made two major announcements. Well, actually we made three. We made the energy tax refund rebate, we made the residential electricity auction rebate, and we made the auction rebate announcement relative to municipalities, farm communities, industry, and so on. I simply reiterate that this latest announcement provides further relief from short-term price fluctuation and serves to protect the consumer. What could be wrong with that?

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

### **Coal Marketing**

MR. STRANG: Thank you, Mr. Speaker. As members of the House are well aware, the recent closure of Smoky River Coal north of Grande Cache and Luscar Ltd.'s Gregg River Resources mine south of Hinton and the unprecedented high cost of electricity raises an interesting question about the use of coal to generate electricity. In fact, the price of natural gas and the power demands both are rising. Some Albertans are questioning: why not coal, as it would be the sensible way to go? Could the Minister of Economic Development tell the members of the House what is happening in the coal industry and what the department is doing to respond to these closures?

THE SPEAKER: The hon. Minister of Economic Development.

MR. HAVELOCK: Yes. Thank you, Mr. Speaker. Essentially there are two markets for Alberta coal. There's a domestic market for our thermal coal and an international market for our metallurgical coal.

Now, on the minus side unfortunately Alberta's international coal markets are in decline due to low world prices. However, we've seen some stabilization in some smaller markets; for example,

China, Egypt, and Brazil. That's been going on since 1999. We expect that trend to continue. Also, coal prices are stabilizing in Europe. So hopefully that will firm up the international market.

On the plus side, Mr. Speaker, the local coal market has increased its share of production as a result of stable demand from Alberta's electricity industry.

Now, with respect to Luscar and Smoky River Coal specifically, we are assisting both communities to address their long-term planning. Alberta Economic Development, for example, cosponsored the Yellowhead Regional Marketplace to identify opportunities for regional co-operation on economic development issues, and that includes the idea of forming a regional alliance.

In Grande Cache we sponsored a study to verify the viability of their proposed development as a tourism and retirement destination. We're working closely with the departments of Resource Development and also Human Resources and Employment.

Mr. Speaker, what we're finding is that if you take care of the small things, the larger things will also take care of themselves. For example, in the Grande Cache area our department helped facilitate the first ever tour of the dinosaur tracks located at the closed mine. In fact, there were two Japanese tour groups that came through. They were absolutely thrilled that we were able to get them on-site. They very much appreciated our assistance. So while we're assisting and planning at a much broader economic level, we're also trying to get the smaller things accomplished.

THE SPEAKER: Hon. member.

MR. STRANG: Thank you, Mr. Speaker. My first supplemental question: in light of high electrical costs, could the minister say what the potential future is for coal-generated electricity?

MR. HAVELOCK: Well, Mr. Speaker, I know this is going to upset the opposition, but this really is a good-news story. We are fortunate because Alberta is home to the lowest sulphur content coal found anywhere in the world, and as I just mentioned, the local coal market has increased production as a result of stable demand from Alberta's electricity industry. Further, domestic demand for thermal coal may well increase if selected Alberta companies go forward with their plans to actually convert from natural gas to coal.

By way of another example, the proposed Brooks power project provides a logical step in continuing to use coal for our electrical needs. I might add, Mr. Speaker, that we need to ensure that the Brooks project receives equal treatment in terms of both the regulatory and environmental processes to ensure that competition between natural gas and coal-fired generation projects offer the lowest cost electricity options for Albertans.

So, Mr. Speaker, it's very clear that the domestic market for coal in Alberta is very strong. The future of the industry generally is strengthening every day. We are very supportive in encouraging additional electrical capacity in this province either through natural gas or through coal, but certainly we see a tremendous future for coal and electrical generation in that regard.

Thank you.

2:20

THE SPEAKER: The hon. Member for West Yellowhead.

MR. STRANG: Thank you, Mr. Speaker. My second supplemental question is to the Minister of Environment. There are a number of environmental concerns associated with coal-fired facilities. In light of these concerns, would an increase in coal-fired power negatively affect our environment?

MR. JONSON: Mr. Speaker, power plants are among a wide range of industrial facilities in this province that are regulated by Alberta Environment under the Alberta Environmental Protection and Enhancement Act. Alberta Environment applies very stringent standards, standards which are ranked and recognized across Canada as being the most stringent or near the most stringent of any particular province or territory in this entire country. This set of regulations is diligently enforced by Alberta Environment, and we would do so, of course, if there are applications for expansion of coal-powered electrical generation in this province.

Mr. Speaker, I think it's really important to point out that at this point in time in the province Alberta Environment is involved in continuing to monitor and regulate the emissions coming from a number of coal-fired plants in this province currently. We are continuing to enforce those high standards with respect to the existing generation that is present in the province, and we are certainly committed to doing the same with respect to any future capacity in terms of new plants that might be proposed and come onstream in this province.

Thank you.

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

### Electricity Auction

DR. NICOL: Thank you, Mr. Speaker. The re-regulation of the electricity industry to control price increases has created uncertainty in the electricity sector, especially in the area of prices. Later this week the government intends to auction the last 2,200 megawatts of power held in the power purchase agreements. My question is to the Premier. Is it the government's intention to cancel this auction?

MR. KLEIN: Mr. Speaker, the simple answer is, no, it is not our intention to cancel the auction.

If the hon. member will permit, I'll have the hon. Minister of Resource Development supplement.

MR. CARDINAL: Mr. Speaker, the Premier is always right. We're not going to cancel the auction, but once it is completed, we will carefully analyze the outcome and make adjustments or decisions at that time.

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

DR. NICOL: Thank you, Mr. Speaker. One of the things that potential purchasers through this auction must know is the price that is the alternative. How will they determine that alternative price that they have to use as a benchmark to determine what they will bid in this auction when we're going through a reasonableness review now which could take two or three weeks, maybe two or three months, maybe till after the election to get put in place? How are they going to get a benchmark to judge what price to bid tomorrow and the next day when they don't know?

MR. KLEIN: Mr. Speaker, it is still market driven, and we're talking about people who wish to purchase power to provide long-term stability. We're dealing with a very specific situation relative to extreme price hikes under a regulated environment.

I would point out that the government has had an exceptional response to the pre-auction workshop, with over 70 companies and 150 people in attendance. So the auction will proceed as planned.

DR. NICOL: Mr. Speaker, the issue is that they have to know where the future is. This auction is a one-year contract that they're selling. They need to know the price next year. How are they going to have a base for that price to accurately bid in these auctions?

MR. KLEIN: Mr. Speaker, they'll have to factor today in, and that is a good factor.

I'll have the hon. minister supplement.

MR. CARDINAL: Well, Mr. Speaker, in addition to that, the consumers as of today's change will have access to direct sales between supplier and users.

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

### School Infrastructure

MR. SEVERTSON: Thank you, Mr. Speaker. One of the main recommendations of the School Facilities Task Force was to have an extensive audit of all the province's K to 12 schools. Today the Minister of Infrastructure has tabled the results of that audit. My question is: could the minister explain what the findings were?

THE SPEAKER: The hon. Minister of Infrastructure. [interjections]

MR. STELMACH: Thank you, Mr. Speaker. The school audit that was . . . [interjections]

THE SPEAKER: I really don't know what there is about the personality of the hon. Minister of Infrastructure that causes such disarray to occur, but we'll go back again to recognizing the hon. Minister of Infrastructure.

MR. STELMACH: Thank you, Mr. Speaker, for intervening.

What we did was complete a full audit of all 1,463 schools in the province. These audits were conducted by electrical and mechanical engineers following a very rigid set of criteria. They rated all of the schools according to priority in condition. Of the 1,463 schools about 689 were rated in good condition, about 639 in fair, and there are about 135 that were rated in poor condition. As a result, those are the first schools that we're going to work on in modernizing.

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

MR. SEVERTSON: Thank you, Mr. Speaker. To the same minister: can the minister tell me how the modernization needs of the schools, particularly those in poor condition, are going to be met?

MR. STELMACH: Mr. Speaker, I have to give great praise to all of the school boards across this province, because during the summer they met with our staff to review the results of the audit. Now the school boards are conducting public meetings throughout their various divisions to see if all the schools audited are actually viable. Once we get back that list of priorities from the various school boards, we will then look at those schools that are put up for modernization. So the worst raw score is the first school to be done.

With respect to the new schools that are necessary, we are currently working on a utilization formula, but like I said, the trigger is 85 percent utilization in the school division to trigger a new school.

THE SPEAKER: Hon. member.

MR. SEVERTSON: Thank you, Mr. Speaker. My final question is to the same minister. Is there sufficient money in the new century schools plan to complete the necessary work?

MR. STELMACH: Mr. Speaker, I believe there is. It's \$1.07 billion over three years. It's \$635 million new money: \$235 million this year and \$400 million additional next year. We would want to move our meetings through with the School Buildings Board so that we get as many projects approved in principle so we can start as many projects as possible next year in the province of Alberta to catch up with the backlog.

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

### Electricity Price Fairness Review

(continued)

MR. SAPERS: Mr. Speaker, yesterday the Minister of Resource Development avoided taking responsibility for the mess in power deregulation and avoided answering questions in this House because he said that the issue was before the board. In fact he said, "On this particular issue" – and I'm quoting from *Hansard* – "we'll have to wait until the decision is made." Will the minister please explain why he has contradicted himself by today ordering that the EUB suspend its current hearings?

MR. CARDINAL: Well, Mr. Speaker, the Premier answered this issue very clearly earlier, and I did too. We will continue monitoring the situation. [interjections] I know you don't like that.

We will continue monitoring the situation, Mr. Speaker, and we will make adjustments as fast as we can once we determine there have to be changes. This is exactly what we've done.

I'm still waiting for their plan in relation to deregulation. About two weeks ago I asked for your plan to help us move forward and design a good electrical system for Alberta. We haven't seen anything yet. We're still waiting.

THE SPEAKER: The Member for Edmonton-Glenora.

2:30

MR. SAPERS: Thank you, Mr. Speaker. If the government was really interested in listening to the Official Opposition's plan they wouldn't have invoked closure on the 1998 legislation.

Mr. Speaker, given that the government has now said that the hearings will be interrupted pending a review, will the minister please tell us what the timing of this review is? I guess the real question is: are Albertans going to get the answer to this review before or after the spring election?

MR. CARDINAL: Mr. Speaker, the press release today and the documents provided identify that process as to what the timing is. It's very, very clear.

MR. SAPERS: So to make it clear, that means after the election.

Mr. Speaker, earlier the Premier said that there was going to be a price reduction in a year and a half. So I'm assuming that the Minister of Resource Development will table the order to the EUB about this review, and while he tables that, he'll table all of the studies that have shown what the supply curve is, what the demand curve is, and how it is that these prices are going to go down and exactly what the price points are going to be a year and a half from now.



MR. CARDINAL: Mr. Speaker, only the Liberals would do something like that when the process just started. We will continue monitoring the process, and we will file documents at appropriate times, keeping in mind that it would be in the best interest of the consumer out there. Not like the Liberals. They'd file it today probably.

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

### **Workplace Health and Safety**

MR. AMERY: Thank you, Mr. Speaker. On November 15 Fiesta Party Rentals was fined \$100,000 in Calgary Provincial Court for breaking a safety regulation which resulted in the death of one of their workers. Can the Minister of Alberta Human Resources and Employment tell us if the fine reflects a new awareness of the importance of workplace health and safety and the responsibilities employers have to protect their workers?

MR. DUNFORD: Mr. Speaker, in regards to the fine, of course no amount of money can ever compensate for the loss of a life and the loss of a family member. My sympathies again go out to the family of the young fellow that was electrocuted on that site.

Having said that, I do believe that fines such as the amount of the fine that the member indicated in his preamble really do send a rather strong message to employers that the health and safety of our workers cannot and, of course, will not be compromised. We expect employers to take their responsibilities seriously. They must do everything they can to make sure that their workers perform their jobs competently and safely. This means ensuring that workers are properly trained, use the proper safety equipment, and, perhaps as important as anything, know and understand that they can refuse to perform unsafe work.

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

MR. AMERY: Thank you, Mr. Speaker. Can the minister tell us if prosecuting employers who violate the Occupational Health and Safety Act is a successful deterrent in reducing workplace injury?

MR. DUNFORD: Mr. Speaker, I'm a very strong believer in proactive education. I believe in proper information being provided to people. The fact is that preventative health and safety programs are really more effective to make our workplaces safe.

We in this province, as we relate ourselves to any other jurisdiction in this country, I believe have shown that with voluntary compliance we have had success in reducing incidents in the workplace that have led to injury and illness. But we want to make that sure everybody understands, including all hon. members here in this House today, that if all else fails, we will prosecute violations of our health and safety provisions.

There is a clear understanding in this particular province about the mutual responsibility of both employers and employees to work safely. Our partnership program is one of the techniques and one of the programs that we have in place that we believe is showing a high level of success in actually reducing injuries and illnesses on the job. I want to use this time in question period today to encourage all employers and employees who might be listening to investigate that partnership program and get themselves involved.

We know this approach works. There are something like 3,200 Alberta employers that are currently under this program. We estimate that this covers 20 percent of the Alberta workforce. There

are clearly differences in lost time injury statistics between those that are in our partnership program and those that are outside the partnership program.

THE SPEAKER: Hon. member.

MR. AMERY: Thank you, Mr. Speaker. To the same minister: what is your department doing to help increase awareness about health and safety issues with employers and employees?

MR. DUNFORD: Mr. Speaker, we're looking at some different ways in which we might be able to further communicate awareness to employers and employees here in the province. First of all, of course, I've challenged our partners and my department to identify where we could make the most difference in selected workplaces as we try to create more safety. We're looking at initiatives like a call centre. Of course, we're going to be employing web sites, looking at educational and promotional activities to really drive home our message that safer workplaces make Alberta businesses stronger.

Now, we're also increasing our focus on compliance. We're adding more inspectors, and we're giving them more time for inspections, and we're starting now to target high-risk industries.

### **Electric Utilities Deregulation** (continued)

MS CARLSON: Mr. Speaker, with his announcement today the Premier has finally admitted that his electricity deregulation scheme, better known as the KEP, has resulted in inadequate supply to meet rising demand, critically low reserve margins, and skyrocketing prices. After five years of bungling and mismanagement this announcement is an acknowledgment that the KEP has been a dismal and fundamental failure. When utility companies have spent millions to go before the EUB on regulated rate option tariff hearings, can the Minister of Resource Development tell us why this government failed to consult with utility companies before making this announcement?

MR. CARDINAL: Mr. Speaker, the government has a responsibility when consumers are asking us to look at an issue very carefully, and the opposition has done the same. We've indicated before that as we move forward with this deregulation, we will make adjustments when they're required to address the issue of consumer need.

These announcements today are part of the 10-point action plan. We will continue making further announcements. We will continue monitoring the situation and make adjustments as we move forward. We are not changing. That is the direction.

MS CARLSON: Mr. Speaker, when the fundamental problem is supply, what will that one-year grace period do to increase supply when this minister just said this afternoon that it will take two to three years to increase supply generation? This government just doesn't know how to plan.

MR. CARDINAL: Mr. Speaker, I indicated earlier that the existing capacity of electricity in Alberta is at 7,247 megawatts at peak demand, and we have presently more than 9,400 megawatts. So it generally addresses the issue that there is a reasonable balance.

In relation to new generation there are 1,400 megawatts that are on-line already. In addition to that, there are another 1,600 megawatts that will come onstream within the next two years. In addition to that, on an ongoing basis, either through the transmission administrator or through our department or through Economic

Development and others, companies are approaching us discussing the issue of electrical generation in Alberta. We are very, very optimistic that we will have the supply that you over there do not want to see because you don't want to see the process succeed.

2:40

MS CARLSON: Mr. Speaker, nobody believes they know what they're doing. Why did this Premier and this minister change the rules just 34 days before deregulation is supposed to start when they have had over five years to care and listen?

MR. CARDINAL: Mr. Speaker, the rules are not being changed. We said that we will continue monitoring the whole situation of deregulation, and we will make adjustments. In fact, if the Liberals would come up with some good ideas, we could probably incorporate them in some of the changes we're making. If they're good ideas, only good ideas. So if you have good ideas, please forward them to my office.

Mr. Speaker, I'll have the hon. Economic Development minister maybe supplement that particular issue.

MR. HAVELOCK: Thank you, Mr. Speaker. Thank you, hon. minister. We need to keep in mind that there's going to be ample opportunity for companies to generate a reasonable rate of return over the next few years.

To go back to what the hon. member across the way was referring to regarding capacity, just this morning I was meeting with a company that's looking at a very significant investment in this province, in excess of \$400 million, to build a very advanced natural gas fired electrical generation facility that will generate over 500 megawatts of power. So what I'm hearing from the industry, generally, is that they have a great deal of confidence in Alberta, that they have a great deal of confidence in the economy, and quite frankly they have a great deal of confidence in this Premier, which drives those guys nuts.

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

### **Rural Electricity Costs**

MR. McFARLAND: Thank you, Mr. Speaker. I've talked to constituents in Little Bow and residents in the city of Lethbridge who are business and residential owners. I've looked at their billings for the past couple of months, and I want to indicate that they're very confused about a dramatic rise in the consumption that's graphically illustrated in their Enmax and Utilicorp billings, which of course means a significant percentage increase in their cost of power. My questions today are to the Minister of Government Services. What assistance, Madam Minister, does your department offer to the residents that I've referred to in my preamble to clarify or validate the actual kilowatt consumption that's showing on their billings and the dramatic increase?

THE SPEAKER: The hon. Minister of Government Services.

MRS. NELSON: Thank you, Mr. Speaker. This is a very valid question. We have had constituents from the riding of Little Bow contact our department with concerns about massive spikes in consumption. As most people will look at their utility bill, there's a little chart at the side that shows the last year, the change from the estimate to the actual on the consumption of their electricity and their water on a monthly basis. In this particular riding there was a massive spike in the consumption of electricity, particularly so far in what we've seen from this constituency.

We have gone and made some calls based on these concerns and complaints to the electrical companies, utility companies, to ask them if there was a flaw in the system or if there was some sort of an oversight that would cause the unbelievably unprecedented spike in consumption on these consumers' bills. We've asked them to validate the bills, because it is very, very strange to see three times the usage come up in one month that would be there for the previous year's registration on the charts.

We are working with that, and we hope that the companies will contact those consumers directly and have a resolution come between their consumer complaint group and the company. If they don't, then we will assist the consumers, with our own people working almost as an arbitrator between the consumer and the electrical company.

THE SPEAKER: The hon. Member for Little Bow.

MR. McFARLAND: Thank you, Mr. Speaker. Thank you for the answer.

With respect to the one specific utility, Enmax, Mr. Speaker, could the Minister of Government Services indicate just what exactly she and the Enmax officials have found out in their initial discussions on this consumption increase?

MRS. NELSON: Again, Mr. Speaker, we have been in contact with the officials from Enmax. There has been some concern that because of the new transition between the distributing companies this last little while there may have been some errors made, and these disputes may in fact be real between the consumer and the retailer of the electricity.

We looked at other scenarios that may have occurred down in the city of Lethbridge area. There was some concern with some water meter readings that had gone a little off-kilter and were overcharging and causing some difficulties. That ended up being the result actually, quite frankly, of faulty meters that had been installed in that area.

So we are looking at all angles of this along with Enmax, and they're very co-operative in the process. They want to have the dispute and the discrepancy resolved very, very quickly. We will, again, keep on with the program, and if more consumers come forward – I'm sure your constituents aren't the only ones, because they seem to span 100 miles apart – we will look at all complaints that do come through.

THE SPEAKER: The hon. Member for Little Bow.

MR. McFARLAND: Thank you again, Mr. Speaker. Instead of blaming everything on deregulation, then, is it possible for the minister to convey to these customers if it's possible to have an actual monthly reading on their meter rather than an estimated reading?

MRS. NELSON: Well, as the hon. member knows, most utility companies work on an estimate and then do a reversal to the actual once they have the meter reading done. Some utility companies read the meter every month. Others do it every second month. We have asked the question and inquired whether it could be consistently every month that the meters are read so that if there is something that goes astray, it can be picked up immediately.

We had some that said that they were going to read meters only once a year, which we were a little surprised at and thought that's not going to be really quite acceptable, I wouldn't think, to consumers. We asked them to come back to us with a plan and to reconsider

doing a reading more frequently as opposed to less so that if there are problems that do arise, they can be addressed between the utility company and the consumer very quickly.

head: Members' Statements

THE SPEAKER: Hon. members, in 30 seconds from now we'll call upon the first of three members to participate.

In the interim, birthday greetings to the hon. Member for Leduc.  
The hon. Member for Calgary-West.

### **Friends of Seniors Foundation**

MS KRYCZKA: Thank you, Mr. Speaker. As chair of the Seniors Advisory Council for Alberta I have heard that only seniors know what is best for seniors. I've also heard that seniors prefer to be only with seniors. I disagree with these statements, and I will use a truly wonderful example that supports my position.

The Friends of Seniors Foundation in Calgary is the brainchild of Brenda Wood, an intelligent and active parent who is also a constituent in Calgary-West. The foundation is a charitable organization and under Brenda's leadership provides intergenerational programs which help create caring partnerships between teens and seniors in care centres. In 1999-2000 five schools and five care centres participated with 150 students and 75 seniors interacting with each other on a regular basis.

The foundation has a present waiting list of 25 schools and care centres, or approximately 1,100 students and seniors, a strong indication of the demand for this fresh approach in meeting the needs of both generations. A few of the many benefits to youth are to dispel myths of race, culture, disability, aging, and other stereotypes and to acquire community service and job experience. For seniors a few of the many benefits are to alleviate loneliness, give them something to look forward to, and a sharing of life skills and experiences with youth.

Mr. Speaker, we must encourage the Brenda Woods in Alberta who dare to envision and to persevere. Seniors needing continuing care will increase in unprecedented numbers within the next 10 to 15 years. The Friends of Seniors Foundation provides our youth with training in dementia and Alzheimer's disease, creates awareness of seniors and aging, and influences youth who will be our future caregivers, builders, and architects of the future. The foundation is helping to ensure that the decision-makers of tomorrow will have experience, empathy, respect, and knowledge as to the aging process and will know what changes are required in order to improve the quality of life for seniors.

Brenda Wood, I strongly applaud the foundation and its goal to be able to offer its programs to every interested school and care centre in Calgary. Congratulations.

Thank you.

2:50

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

### **Intensive Livestock Operations**

DR. NICOL: Thank you, Mr. Speaker. The last year has seen a number of cases where communities have been divided over the merit and the approval process for the planning development of large-scale livestock operations. The divisions have arisen because of a lack of a clear process and from a lack of flexibility at the local level in planning and land use decision-making.

In October the Minister of Agriculture, Food and Rural Development announced the appointment of a committee, headed by the Member for Leduc, to address the issues of the development of an

appropriate process for the approval of intensive livestock operations. The committee is made up of Ben Thorlakson from the Cattle Commission and also Roelof Heinen, a past president of the Alberta Association of Municipal Districts and Counties.

The challenge for this committee, Mr. Speaker, is to incorporate a balance between the environmental needs of all Albertans and the local community and also the local development approval process that gives the local communities the choice to implement and to develop the kind of community that they really want. In order to do this, they're going to have to look at the need for provincial level intervention or supervision of the environmental process, but they're also going to have to look at the ability of the local community to develop the appropriate level of planning processes, which includes zoning, which includes development of a process that will allow them to, in essence, have the final say in whether or not an intensive livestock operation actually is established in their community. This will also require, then, some changes to the Municipal Government Act.

Mr. Speaker, I would encourage this committee to look at those options, because we have to have a system that will allow for the flexibility for community control but also give our agriculture sector the opportunity for growth so that we can reach the \$20 billion of value-added and the \$7 billion of primary production that's the target by 2005.

Thank you, Mr. Speaker.

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

### **Reidun Tatham**

MS GRAHAM: Thank you, Mr. Speaker. I'm pleased today to rise and recognize a very uniquely talented and accomplished young athlete from my constituency of Calgary-Lougheed. That young person is Reidun Tatham and is one of Canada's finest synchronized swimmers. She represented Canada at the 2000 Olympic Games in Sydney, Australia, in September. Reidun returned to Calgary with her head held high, wearing her latest and most cherished accolade to date, an Olympic bronze medal.

Mr. Speaker, 22-year-old Reidun has been involved in synchronized swimming for 15 years. Since taking up the sport at the early age of seven, she has demonstrated an unwavering commitment to her sport. In her lifelong quest for Olympic glory she has not only developed outstanding athletic skills, but her sport has also helped her acquire the character traits and life skills necessary to succeed in life.

For the last two years Reidun joined the top 10 Canadian synchronized swimmers at the Centre of Excellence in Toronto to prepare for the Sydney 2000 Olympics. The training was intense and often demanded more than 50 hours per week, but the hard work of Reidun and her teammates paid off in a big way: international recognition on the Olympic podium for their bronze medal win. Mr. Speaker, I'm told that according to the team coaches, who are likely the harshest critics, they described the team's performance in both the long and short programs as the best swims ever for their athletes.

On behalf of all members of the Assembly I wish to extend our congratulations to Reidun and her teammates on their outstanding performance in Sydney and to say to these young people that they brought great honour to our province and to our country.

Thank you.

head: Orders of the Day

THE SPEAKER: Hon. members, prior to proceeding, we had notice of motion today given by the hon. Member for Edmonton-

Meadowlark dealing with a motion that she wanted the Assembly to address, so we'll take it under consideration now.

The hon. Member for Edmonton-Meadowlark.

MS LEIBOVICI: Thank you, Mr. Speaker. Earlier this afternoon I provided notice that I would seek unanimous consent of the Assembly to advance Bill 221, which is the Public Health Care Protection Statutes Amendment Act, 2000, so that it would be the next bill dealt with during private members' business. Now, while I recognize that all private members' bills are important, it is also important to note that Bill 221 will put forward the repeal of Bill 11, which in fact opens the doors to private, for-profit health care in this province and was one of the most contentious bills in Alberta's history. Also, as we are all aware, it was opposed by a majority of Albertans.

MR. HANCOCK: Point of order.

THE SPEAKER: The hon. Government House Leader, briefly, because I was going to interject anyway. Go ahead with your point of order.

#### Point of Order Relevance

MR. HANCOCK: Mr. Speaker, yes. Under 23(h), (i), and (j) this is a request for unanimous consent, not an opportunity to debate the merits of the bill or anything else.

THE SPEAKER: That's absolutely correct, hon. Government House Leader.

Hon. Member for Edmonton-Meadowlark, quickly.

#### Debate Continued

MS LEIBOVICI: Thank you. The authority under which I move this particular request is *Beauchesne* 18, wherein it states:

Within the ambit of its own rules, the House itself may proceed as it chooses; it is a common practice for the House to ignore its own rules by unanimous consent.

Therefore, I am requesting that unanimous consent be given to move Bill 221 forward on the Order Paper.

Thank you very much.

THE SPEAKER: Thank you, hon. member. The hon. Member for Edmonton-Meadowlark is requesting unanimous consent from the Assembly, so there'll be one question.

[Unanimous consent denied]

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

head: Committee of the Whole

[Mr. Tannas in the chair]

THE CHAIRMAN: I'll call the Committee of the Whole to order.

3:00

#### Bill 209 Employment Standards (Parental Leave) Amendment Act, 2000

THE CHAIRMAN: Are there any amendments, comments, questions arising out of this bill?

MR. CAO: There is no amendment to be introduced here, sir, but I

would like to speak further on it, Mr. Chairman, to answer a few questions. I will try to keep my comments brief today so that we can hear from as many members as possible in the limited time we have remaining at this committee stage.

However, there are two important subjects I would like to address. First, I would like to respond to a couple of the questions and concerns that were raised by my colleagues during the debate last week. Secondly, I would like to share with everyone some of the recent developments in the province of Ontario that I think are quite relevant to this debate. The general concern that I hear brought up on this time and time again is that this bill is potentially harmful to Alberta businesses, particularly small businesses. I don't know how much more I can say to respond to these concerns, but I will attempt once more, again, to clarify my argument on this issue.

First, as I have pointed out, the number of people actually taking leave in any given year is likely to be absolutely minuscule in comparison with the overall size of the Alberta workforce. Furthermore, I must emphasize that this leave is not mandatory. In fact, many parents may choose not to take it or at least not to take the full amount. Even the existing maternity leave provisions are not fully used by all eligible mothers. This legislation simply ensures that sufficient leave is available to those parents who assess their own family situation and decide to do it if needed. I don't see how the small number of parents who make this decision each year is likely to be too onerous for Alberta employers to bear.

Not only that, the cost of employers to locate, hire, and train replacement workers will remain the same whether the leave is extended or not, and even if we keep maternity leave at the current level of 18 weeks, the replacement worker must still be found and trained. Similarly, any administrative or planning costs associated with this leave are already being paid to administer or plan existing maternity leaves. Simply expanding the length of leave is not likely to substantially increase these costs.

I think that is all I will say on this issue, Mr. Chairman. I believe the potential negative impact of this legislation on Alberta businesses has been somewhat exaggerated, and it should not be allowed to distract us from considering the potential positive impact of this legislation on Alberta children and families.

I would, however, like to respond to a couple of specific questions that were raised by my colleague the hon. Member for Spruce Grove-Sturgeon-St. Albert. She noted her approval of the fact that under Bill 209 adoption leave is to be amalgamated into the 27 weeks of parental leave. Then she inquired as to whether parental leave could be taken by adoptive parents regardless of the age of the adopted child. Could it be taken, for example, if the child being adopted was as old as 12? The short answer to her question is yes.

It was my intent with this legislation to give adoptive parents the same rights as birth parents. It seems to me that it is important for parents to establish a lasting bond with the new child in the first few months, regardless of whether the child is a newborn infant or an adopted child of any age. Even if they are not babies or young children, adopted children face the same difficulty of adjustment, and they can only benefit from having the parent close by their side as they experience that transition.

The opposition Member for Spruce Grove-Sturgeon-St. Albert also inquired as to whether two parents could split the 27-week leave between them. Again, the answer to her question: yes, they can. The intent of this legislation is to allow parents the freedom to determine for themselves which of them should take leave and for how long. Each family has its own set of values and its own unique economic circumstances. This legislation allows them to take all that into account and make their own decision on how they will divide the allotment of parental leave.

Having addressed this question, I now would like to move on to my second purpose here today, which is to inform this committee of some recent and exciting developments in the province of Ontario. In fact, while we were debating this legislation last Wednesday afternoon, Ontario was announcing sweeping changes in its own Employment Standards Act. Ontario was already ahead of Alberta in the area of parental leave, offering 17 weeks of pregnancy leave plus an additional 18 weeks of parental leave. Now Ontario will allow birth mothers to take up to a full year, 52 weeks, of leave. This would be composed of 17 weeks of maternity leave plus an additional 35 weeks of parental leave. Other parents, natural or adoptive, would also be permitted to take 37 weeks of unpaid parental leave.

Clearly, by changing the Employment Standards Act to bring parental leave provisions in line with the federal EI benefits, Ontario is moving even further ahead of Alberta on this issue. This is particularly interesting given that Ontario has always shared our concern for maintaining a positive business environment. For example, Ontario implemented a series of business tax cuts very similar to our own. Obviously, Ontario's commitment to a sound business climate has not disappeared overnight. Instead, it must be the case that the Ontario cabinet has reached the same conclusion I have on this issue: extending parental leave is not likely to have a substantial negative impact on business.

In conclusion, Mr. Chairman, I understand why business owners and some of my colleagues have concerns about this legislation, but I believe that if they examine the issue more closely, they will reach the same conclusion as the government of Ontario did: these concerns are largely unfounded. Extending parental leave would not be overly harmful to the employers' interests. It would be greatly beneficial to the interests of children, parents, and families.

Thank you, Mr. Chairman.

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

MS BLAKEMAN: Thank you very much, Mr. Chairman. [interjections] I appreciate the support from my colleagues.

I've gone back and read the *Hansard* on this debate, and it was interesting to see the kinds of concerns that were raised on this. Certainly the Member for Calgary-Fort has done everything in his power to try and calm those fears and alleviate the concerns that have been raised. One of the substantive concerns that was raised against the bill was from Calgary-North Hill. I have to admit that in the year 2000 I was really surprised to hear that sort of a concern being raised, but I'll accept it as legitimate. The hon. member seems to feel very strongly about it.

Essentially his point was that somehow this legislation and lengthening the amount of time of parental leave that would be available would impact badly on women in the workforce because businesses would hesitate to hire women at all and that that would result in a hiring discrimination against women. I'm struggling for words to . . .

MS CARLSON: Unbelievable at the very least.

MS BLAKEMAN: Unbelievable at the very least. Tsk, tsk. The member should know better at this point.

Later on in his debate the member . . . [interjection] Well, yes. That's what he deserves for that kind of comment. I mean, given that sort of thing, the hon. member wouldn't be sitting in this House. That's ridiculous.

Later on he goes back to say that he doesn't support the bill because he thinks the marketplace should decide this sort of thing.

Well, I have to disagree with him, because I think if we had left it up to the marketplace to decide, we'd have no defined hours of work for a start. The marketplace was pretty darned keen, if I remember, on about 80-hour workweeks and no lunch hours or coffee breaks for any of the workers. They just wanted them to work. We certainly wouldn't have any minimum wage, because the marketplace would prefer to almost not pay workers if they could possibly get away with it, certainly in some cases. We certainly wouldn't have health benefits, probably not pensions. We could be in a situation where we'd still have child labour, because we do see that in other countries where there are no restraints on the marketplace whatsoever. So I don't know that kneeling before the altar of the marketplace is really going to move us forward here in this millennium.

3:10

The marketplace certainly hasn't addressed the wage gap between men and women, for example. I think we're still struggling with a wage gap of somewhere between 63 cents for women and a dollar for men. It's just done nothing to address that. The only thing that has addressed it is pay equity legislation.

So what other things can we look at that the marketplace did not address and isn't ever likely to address? They don't want to address it. That's part of the purpose and the point of government: to enact legislation or to provide benefits and remedies that will protect the workers or in some cases the consumers. In that, this is very appropriate legislation to bring forward. We do now recognize and value the contribution that women make to the labour force, their ideas, their perspective on things, the creativity that can be brought to the workforce. I really did not expect to be standing in this Assembly having to debate the merits of this in the year 2000. For shame.

So I simply do not accept the argument that the marketplace should decide this. I think it's perfectly appropriate that we do have legislation that covers this. Let's look at a couple of examples then. We've got some sectors that are dealing with a gender inequity, and they're not doing anything to address it. Therefore the inequity is continuing to pose a problem. I'm thinking specifically of the legal sector, where we now have well over 50 percent – I think it could be toward 75 percent – of the graduates from law school that are women. Well, they get out into the workforce, and given that climate, that marketplace, if you want to call it that, women are leaving. We've got trained lawyers who are leaving those professions in droves, just saying: "Sorry. We're not going to play this kind of game. This is not in our interest or in our family's best interest." They don't seem to be jumping up and down and rushing about trying to correct that imbalance in that situation in the legal profession. Frankly, it's to their loss, and I hope they do start to address that soon.

One of the other accusations leveled was that somehow this legislation was an intrusion into people's lives. This government is more than willing to intrude into people's lives in economic policy, deregulation policy, in all kinds of things they're willing to do without batting an eyelash. So I don't know why extending parental leave by a few weeks would be considered any great intrusion into someone's life. I think it's improving quality of life, and if we really are talking the best interests of the child, then that certainly is attempting to address that.

When I spoke in second reading, I was urging the member but I think more to the point urging the wider government members to look at the other programs and legislation that exists to try and improve a number of the other parts that come into raising children in this day and age. I had talked about covering midwifery services under health care, the issues of child poverty, the issue of minimum

wage, which certainly affects quality of life and the best interests of the child. Employment and pay equity is another area that could certainly be addressed that would help families and working families. Health care. Housing is a huge issue. There was a symposium today on seniors' housing, and within the last few weeks I've been at other symposiums for social housing. It's a huge issue. Really, if we're going to talk about the best interests of the child and raising good children and all the information that I read in *Hansard* that was raised around the discussion of this bill – how we've got to get involved in prevention and spend more time with children at a younger age and all those good things – well, boy, if they don't have good housing to be doing that in, there's another area the government could be working on.

I talked about education and availability of education, the size of classrooms, additional costs associated with K to 12 education in this day and age, how much parents have to work to subsidize that, and I talked about higher education.

I thought about it some more, and I thought: well, if we were taking it from the angle of the best interests of the child, as the Member for Calgary-Fort suggested, I think there are a few other things that could be looked at. For example, it is in the best interests of the children to have a much stronger and much more rigorously enforced but, let me add, fairer maintenance enforcement program. Now, that's in the best interests of the child. We could have pay equity, where people were earning better wages. That would be in the best interests of the child. We could have better prevention programs like Head Start. That would be in the best interests of children.

I can't get Head Start programs. I can't get additional or new Head Start programs in my constituency because the funding is limited for it. We've got one on one side of the constituency. Well, tough beans for any kid living on the other side, because we can't get one in the school that's closer to them. So, you know, you want to talk about the best interests of the children? There's something. Let's look at the funding for Head Start programs and other prevention programs.

This bill is trying to do a simple thing, which is to extend the parental leave to parents so they have more time at home with a newborn or with an adopted child, and that's an admirable thing to attempt. I'm certainly willing to support it. As far as I can see, there's no hidden agenda here. I certainly hope I'm not proven wrong in the future. It appears to be a very straightforward attempt here to make it possible in this world, in this day and age, for parents to spend more time with their children. It's not a difficult concept. It's certainly not difficult to implement. We've got most of it in place already. This is a matter of extending the amount of time that is available and making it available to both mothers and fathers.

The Member for Calgary-Fort has already answered some questions about whether parents could each take time, that one could take 10 weeks and one could take 17 weeks, and yes, indeed we're being told that that was part of what was being planned here, which I think is a great idea.

So we should be able to support this bill. As I said before, I simply don't buy the arguments that somehow this is an intrusion and that the marketplace should be left unfettered to somehow come up with this, because frankly they're not going to come up with it. It's not going to happen.

I do underline that this is about unpaid leave, and for most of those families who are in poverty or struggling, this legislation isn't going to help, because they can't afford to take the leave. There's another huge issue that should be seriously looked at by this government if programs like what's being proposed by the Member for Calgary-Fort in this Bill 209 are to flourish. We really need to

be addressing seriously the whole issue of child poverty and poverty in general. I mean, poor children are not Cabbage Patch dolls. They come from poor families, and we're not doing much to address those issues here.

A look at my e-mails and the letters and notes that are being dropped through my mailbox on the effect of electrical deregulation on people in my constituency is telling me right away that it's having a huge effect on people. One of the problems with that is that if parents can't afford to be paying the electrical bill or the gas bill and they're looking to then put their children in care of the government, to give them up into custody of the government because they can't afford to provide for them, what kind of situation is that where we trap people into making those kinds of horrible choices? They certainly don't want to be there.

3:20

Now, I did look through the definitions. I'm not too sure on this one, but as far as I can tell, the definition of "parental" is not spelled out here. So I'm assuming, in fact, that it could cover or include gay and lesbian relationships, if they're choosing to adopt, for example, because there's nothing in here that precludes that. If indeed that's the case, then I commend the Member for Calgary-Fort on his inclusion, which is very nice to see.

I view this bill as an investment, and I think it could be the start of a series of preventative programs. I certainly encourage the government to view it that way, where it's the beginning of a longer trail, an expansion of an attitude towards the people in this province from the government recognizing that people are an asset and the government's willingness to invest in them. Part of that is in bills like this. But I strongly encourage the government to consider the rest of the society that this exists in and to understand that prevention is a key part in keeping families healthy, a key part of the best interests of the child. We need to view this bill in the context of what exists today and what is possible in the future and move forward on it.

I don't want to take up too much time today, because I'm aware there are others that want to speak to the bill. I'm interested in following the rest of the debate to see what other possible objections could be brought forward from members opposite.

I'm certainly willing to support it at this point, and I look forward to further comment in third reading. With those words, thank you very much, Mr. Chairman.

THE CHAIRMAN: The hon. Member for Fort McMurray.

MR. BOUTILIER: Thank you, Mr. Chairman, for the opportunity to provide comments on this private member's bill, sponsored by my colleague from Calgary-Fort. I didn't have an opportunity to contribute during second reading. As you well know, as this is a private member's bill, there is only a limited amount of time, so I'll make my comments brief before the time actually expires. I'm going to take the opportunity at the committee stage of this bill to discuss what perhaps could have been brought up in second reading, but I ask the indulgence of the chair on this matter because I feel my comments have considerable bearing on the debate at the committee stage as well.

It seems to me that Bill 209 is a highly admirable initiative that could make a real difference in the lives of some Alberta children and families. We have the opportunity to commit to our children and to invest in the future so that they can turn out physically and mentally healthy. All of the research I have seen indicates that when children get the kind of care they need during the first year of their infancy, they have better physical, mental, and social health

outcomes. When that happens, it almost goes without saying that we will have lower health care costs, lower educational costs, lower social program costs, and even lower, perhaps, justice system costs.

I know that those who have gone before me have touched on similar themes, as my colleague before me has mentioned, but there is one important point about this legislation that I don't think has been mentioned yet. It occurs to me that Bill 209 could be an important way to ensure that rural – and I use the term “rural” – Albertans enjoy the same early childhood development opportunities as their urban counterparts. Mr. Chairman, this government has clearly demonstrated through initiatives like the supernet high-speed, broad-band network that it is committed to giving all Albertans, regardless of where they live in this province, the same access to government programs and services.

I believe Bill 209 has the potential to accomplish the same kind of thing because it will place parents across the province on a level playing field, and a level playing field is important. Currently, for those parents who do not live in or near major urban centres, child care facilities may not be realistically accessible or affordable, and in most remote areas of this province there may not be another family member, close friend, or neighbour available to provide the care that is needed for a newborn child. Obviously it would be particularly important to those areas for parents to be able to remain home with their newborn or recently adopted children for as long as possible.

In the course of reflecting upon Bill 209, by my colleague from Calgary-Fort, I have come to realize that it conforms with many of our government's other objectives in addition to the goal of providing equal access to services across the province of Alberta. The objective that stands out the most in this regard is expressed in the Alberta children's initiative.

Now, the question here today in having a clear vision and policy framework is to support the healthy development of Alberta's children. It has produced an important policy document entitled *An Agenda for Joint Action*. The very first, substantive line of that business plan reads as follows:

The Government of Alberta has made a commitment to putting children and young people first. All ministries in government have a role in ensuring that Alberta's children thrive in a healthy, safe and supportive environment.

The children's initiative document goes on to note:

Research shows that a complex range of physical, mental, emotional, cultural, and spiritual factors influence how a child develops. Preventive supports early in children's lives can help avoid more serious and costly interventions later [in life]. The healthy development of children is vital to their lifelong well-being and healthy functioning as individuals, family members and [also] community members

of our great province. As I read over the passage, I just kept nodding to myself in approval, because it seems to me as if it were written with this very bill in mind. It definitely seems that child care experts and senior policymakers within this very government have acknowledged the fundamental importance of a strong parental presence in early childhood development.

Having said that – I know my time is growing short – no matter if the number is 27 weeks or perhaps is 30 weeks or 34 weeks, I believe this initiative is a positive one for the future of young Albertans in this province.

With that, Mr. Chairman, I'd like at this time to move for adjournment of debate on this particular bill.

[Motion to adjourn debate carried]

THE CHAIRMAN: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I'd move that the committee rise and report.

[Motion carried]

[The Deputy Speaker in the chair]

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

MR. HERARD: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration and reports progress on Bill 209.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

3:30

head: Motions Other than Government Motions

### Pension Reform

514. Mr. Hlady moved:

Be it resolved that the Legislative Assembly urge the government to examine its future in the Canada pension plan or explore other options, including a made-in-Alberta pension plan or a mandatory personal retirement savings plan.

[Debate adjourned November 21: Ms Carlson speaking]

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

MRS. SLOAN: Thank you, Mr. Speaker. I'm pleased this afternoon to rise and make some remarks relative to Motion 514, “a made-in-Alberta pension plan.” My reading of the history of this motion's inception takes us back to cover a bit of landscape in the history of this province, and it gives rise to the prominence of an individual who was quite prominent in last night's federal election. He didn't fare overly well in that election, and I would be hoping that his brainchild of a made-in-Alberta pension plan would also not fare well in this Assembly this afternoon.

My reasons are that when the hon. Provincial Treasurer past, the Member for Red Deer-North, first conceived the idea of having a pension plan, it really was sort of a reactionary thought, because the federal government had brought about Bill C-2, which was enacted to try and address the concerns that were being raised that the Canada pension plan over time, because of the population demographics, was not going to be able to provide pensionable earnings to those that were insured. So the federal government in a very accountable manner brought this bill forward to increase contribution rates. That raised some angst in Alberta, as quite often federal government actions are prone to do in this province, and it was that bill that then spurred the Provincial Treasurer of the day to say that we should develop our own pension plan.

Now, again, just to bring some of the history to light, we attempted at the time to obtain some of the documentation that the Provincial Treasurer was using as justification for why a provincial pension plan should be drafted. He refused to release documentation that was in his possession, some 18 pages that had been prepared between July '97 and October '98 which spoke to reforms to the Canada pension plan or options to replace the Canada pension plan. In an August 21, '98, letter the former Provincial Treasurer had said that the Cowell committee, which is John Cowell, did not prepare

separate reports on the feasibility of establishing a made-in-Alberta pension plan or the merits of turning the retirement component of the CPP into a mandatory or individual RRSP-style account.

We did learn, though, Mr. Speaker, that on December 1, 1999, the past Provincial Treasurer met with a group of policy analysts and academics to discuss the feasibility of the pension plan. So even though the analysis wasn't fit to be made public, in his estimation, he continued to fantasize to some degree with this concept. Although there was agreement that as a result of Alberta's younger population and high employment rates it could deliver a pension plan that would be similar to the CPP, with somewhat lower contribution rates, at least initially, there was concern about the portability of benefits, the costs of initial setup, and the overall and ongoing administration costs that the province would be forced to incur.

There was also concern about and a determination of and agreement on the distribution of assets and liabilities of the Alberta portion of the CPP if in fact Alberta had proceeded to disengage themselves from the federal plan. Noting that history, Mr. Speaker, for the record I think it's an honourable thing that the past Provincial Treasurer has moved on to greener political pastures, some might say. The landscape, even in eastern Canada, is a bit bare at this time of year, so the green may have to wait for another day. I acknowledge that this was his concept and that the motion that's before us this afternoon is in fact in some respects being further debated, instead of being pulled, out of respect for his service to the province. In that respect I'm happy to provide my thoughts and my voice of opposition to the proposal.

In reality, those things aside, Mr. Speaker, with due respect to the right of members to bring these types of initiatives forward, however far fetched they may be, would the creation of an Alberta pension plan really result in more benefits than costs, or, put another way, would the costs not outweigh the benefits in this scenario?

Even in thinking through some of the very simplistic repercussions of doing this, I was prompted to think about the rates that employees and employers pay under the CPP. While perhaps in its initial inception the Alberta type of plan might be able to offer some type of enticement to have lower contribution rates for employers and employees, we know that our economy is very diverse. It's also very prone to booms and busts. I in my time in this province have definitely been through one major one, in the mid-80s. We've now rebounded from that bust, and we're in a boom phase. In logistically thinking about how a pension plan and contribution rates would be customized to weather that boom/bust cycle, if you think about how that affects the number of employers, the number of employees, I'm really not sure, Mr. Speaker, that this is really a logical or achievable initiative.

We in the opposition believe that there are some alternatives that the government could be pursuing in this regard. If truly there's concern about the ability of the CPP to cover Albertans within the next several decades, then certainly the past Provincial Treasurer is well situated to voice alternative suggestions and to, respectfully, provide some concrete alternatives. Now, what might those types of alternatives be? Well, certainly we could encourage the federal government to take steps that would encourage Albertans to use the private pension plans that exist, retirement savings plans, without having to go the course of eliminating the CPP or disengage Alberta from the federal plan.

Other examples of concrete suggestions that could be made would include increasing contribution limits for investments in individual RRSPs, indexing those higher contribution limits to inflation, as well as increasing the amount of foreign property that Canadians and Albertans can hold in RRSPs from the current limit of 20 percent.

We believe these measures would encourage contributions to individual retirement savings plans and thereby generate a higher rate of return on contributions. Mr. Speaker, once you take the politics out of it, if you take the antifederal factor out of this bill, really I believe that the end result, the pure intention is to try and protect Albertans from a potential day when the CPP might not exist to be able to provide a pension benefit. If that's the case, these other mechanisms could be avenues that would achieve that end.

3:40

The scenario that was proposed by this motion – and I'm certainly anticipating it's not going to be passed this afternoon. But in the event that some force should strike the government caucus to propose it, I think there are other flaws within the proposal that need to be pointed out, and let me just include those into the record.

If we look at taking the route of mandatory self-directed RRSPs, as has been suggested, there are still a number of questions about the feasibility of defined-contribution retirement savings plans. These issues include things like the investment risk which is placed on individual contributors, the impact on long-term rates of return from low-risk investment, the incidence of administrative costs, the impact of higher female life expectancy on the level of retirement benefits, and the development of adequate transitional provisions which ensure that contributors do not have to pay twice to fund new individual savings retirement accounts.

Mr. Speaker, to something that I'm little bit more familiar with. It also strikes me that if this government was sincere in wanting to ensure that Albertans were able to access pensionable support in retirement, they would look at trends that exist in this province; as an example, the increasing exploitation of part-time workers for the primary purpose of not having to pay those employees benefits or pensions. Actually, I should qualify that in the part-time category those would be nonpermanent positions or using the casual or temporary classifications, as is rampant in the health care sector, in the social care sector, and in the disability sector.

We have widespread use by employers, because of the financial cutbacks of this government, of casual or temporary employees that are not in a position to receive any benefits or any pensions. They are also not in a position to earn sufficient money that they can put any money away into RRSPs. So, you know, while we could go to great lengths to design some made-in-Alberta pension plan, I think our purpose here in this Assembly is to really seek to respect and defend and protect the interests of Albertans, and I believe those would be best served through addressing some of the demographics of our workforce.

Another example of a demographic that requires addressment is the increasing number of women in the workforce, many in positions that are also not receiving an employer-provided pension plan. The demographics are across the map. Many of them are women who are approaching their senior years. Many of them are single parents. Many of them are of an ethnic background. These are another component of the workforce which is not going to benefit from a made-in-Alberta pension plan. They're basically scraping to get by as it exists now, and these are some examples of where I think our energies this afternoon and in the years to come would be better placed.

Now, I did read through some of the literary attachments of analyses that have been done by people who certainly have much more expertise on this issue than I do, and one that struck my eye was a study that was conducted by Robert Brown entitled *Alberta Opting out of the Canada Pension Plan: Can It Be Done; Should It Be Done?* In that study Mr. Brown said that Alberta would face financial implications for opting out of the CPP: while Alberta



would be able to claim some \$4 billion in assets of the CPP invested in provincial government bonds, it would also be responsible for the actuarial liability within the CPP of the benefits that its workers have accrued to date. Mr. Speaker, in my review of the debates on this bill I've not seen the government respond to that reality. So what is really the balance sheet analysis of this bill? What's the cost?

With due respect, I believe we have to be prepared to do a bit more research if we're going to put something on the agenda of this Assembly that gives all members the benefit of knowing whether or not it's realistic to even contemplate the scenario. In the case of creating a made-in-Alberta pension plan, Mr. Speaker, I think it's absolutely integral that there be, at least in a preliminary way, some estimation of the costs.

Mr. Speaker, I also could not refrain, in debating this bill, from referencing some of the Auditor General's remarks from 1999-2000. There's quite a substantive section in his report this year about Treasury, which I would direct the hon. member to. In a number of areas what the Auditor General found was that Treasury was having a bit of difficulty managing their business as it was. Again, if we want to be responsible legislators, I think we've got to look at: what's the capability within our public service to take this on? What I read in the pages of the Auditor General's report is that we have a public service that is barely making ends meet, and in many respects the ends are very frayed and are no longer holding the rope together.

Now, specifically on the Alberta pension plan issue, on page 278 of the Auditor General's report he talks about the administration of our existing Alberta Pensions Administration Corporation. He pointed out that

the audited financial statements for the Management Employees Pension Plan (MEPP) were not issued until August 2000, over 190 days after MEPP's fiscal year-end. The delay in the issuance of the audited financial statements was mainly due to the performance of an actuarial valuation as at December 31, 1999 to determine whether the pre-1992 unfunded liability was eliminated.

So there were issues about timely reporting even with the pension plan that exists through the administration corporation. That was significant enough to cause the Auditor General to comment on it in this year's report.

Well, my time is up. Thank you.

**THE DEPUTY SPEAKER:** Before I call on the hon. Member for Fort McMurray, I would like to remind hon. members that we're dealing with a motion and not a bill and that we're dealing with a private member's public motion. We're not talking about a government motion or a government bill.

The hon. Member for Fort McMurray.

3:50

**MR. BOUTILIER:** Thank you, Mr. Speaker. Relative to my colleague from Calgary-Mountain View's motion, Motion 514, I feel compelled at the outset of my comments in this debate first and foremost to say – the hon. colleague on the front bench on the opposite side made comments relative to barely making both ends meet. Certainly I take exception to that. I am very confident and proud of our public service in Treasury in terms of the administration of whatever this government presents to it. They have proven themselves in the past and, I'm quite confident, will continue to prove themselves in the future. That's why so many other provinces are looking at the taillights of Alberta this day, because of that competence that is going on here.

Relative to the point of Motion 514 by my hon. colleague from Calgary-Mountain View, I believe this motion really appears to be a very prudent response to a very evident problem with the Canada pension plan. This problem is indeed severe. We do not want to

understate the situation that presents itself to us today. Albertans have never put their heads in the sand and said: we don't want to take and deal with the problem. That's why I applaud the hon. Member for Calgary-Mountain View for his initiative today relative to Motion 514.

It is quite possible, perhaps even probable, that the Canada pension plan could in fact collapse in my lifetime. In fact, to support this evidence, the Fraser Institute survey of independent investment managers found that no fewer than 98 percent of respondents thought it likely or very likely that the Canada pension plan would face a major funding crisis sometime in the next 25 years.

Just this past January the Association of Canadian Pension Management issued its own very disturbing report. Its primary message – and I quote the vice-president of the association – was: don't rely on the government to look after you. The association also noted that there are currently four working taxpayers for every pensioner in this country, and even at that ratio the CPP, the Canada pension plan, is struggling to stay afloat. Given the demographic trends by the year 2030, just to provide some insight, there will only be two working taxpayers for every CPP beneficiary. Even if one does not conclude from this that the CPP is inevitably doomed, one must consider and certainly concede that a serious and urgent consideration of its future is absolutely essential. That's why I applaud Motion 514 by my colleague for Calgary-Mountain View, because that's exactly what the purpose of Motion 514 is all about.

In fact, Mr. Speaker, rumors of the CPP's demise have become so prevalent that a conference was held last year to discuss the issue. Presenters at the conference were asked to respond to just one question and one question only: should there be a separate pension plan for Alberta? The delegates engaged in spirited discussions and identified a number of important factors. I think it's important to recognize that Albertans are very strategic in terms of how they lay down a financial plan for the future, and in doing so, there is not always agreement. In fact, one distinguished presenter quite accurately likened the CPP to a huge, unstable pyramid scheme on a national scale.

Conference participants were not always able to answer the single question with clarity in a simple yes or no answer. The inconclusiveness only underscores the point of Motion 514 by my colleague, that the future of the Canada pension plan is an ambiguous one. We all know the importance of uncertainty in the marketplace, and ultimately there is lots of uncertainty in terms of the future of the CPP. It is incumbent upon us in this private member's motion to be responsible to explore its future in the plan as fully and extensively as possible.

My colleague's motion also suggests two possible directions should it be determined that Alberta's best interests lie outside the CPP. The first of these options would be to establish an APP, an Alberta pension plan, with roughly the same structure and level of benefits as the CPP. This is the current situation in Quebec, a neighbouring province, which established its own QPP back in 1966, I believe. However, from the beginning the reserve fund of the QPP was managed – and this is a key and relevant point – by an independent provincial investment agency. Nonetheless, the QPP also has fallen victim to some of the same problems as the national CPP, forcing it to enact similar serious reforms just three years ago. In fact, Mr. Speaker, the experiences of the QPP offer a number of useful lessons for Alberta to consider if we are to pursue the APP option, the Alberta pension plan. I should mention that for many of the following points I'm drawing on the excellent and thorough work of Francois Vaillancourt, an economist who participated in the conference that I just made reference to.

The first lesson to be learned from the QPP is that a separate

provincial plan generally offers far greater flexibility in terms of social policy. Yes, that's social policy. For instance, Quebec was able to offer reduced pensions to those aged 60 to 64 in order to counteract the incentive in most pension plans for employees to work right up to retirement age. This innovative policy was eventually copied by the CPP in the late '80s. I'm not suggesting that under an APP plan this province would necessarily want to offer retirement incentives one way or another, but the point is that we could if we wanted to, adding that greater flexibility to the challenges that face this country, and certainly Alberta once again wants to be out in front of those issues.

A second lesson of the QPP is that a provincial plan might not create costly incentives for people to take advantage of disability benefits. One of the most important factors in the recent rise in the CPP payments has been a dramatic increase in disability payments – interestingly, this increase has not occurred in Quebec – and one reason is that there is an incentive for most other provincial welfare programs to offload disabled recipients onto the CPP disability program.

Now, this is an important point, because it would not be the case in a province where the provincial government was responsible for the programs. The likely result is that disability payments would be much less of a drain on retirement savings and therefore would not create the same pressure and reason to raise premiums. Of course, that is an important component in the sustainability of any program.

A third possibility suggested by the QPP example is that a large public pension fund would have the effect of encouraging the development of the local financial services industry, a made-in-Alberta solution once again. Once developed, this financial expertise would be an easily marketable resource and an excellent way to extend the Alberta advantage.

In today's society I believe that in Alberta we want to continue to look for vehicles to be able to attract the venture capital that's required in the province, but we need a vehicle to be able to attract that venture capital. Rather than being at the beck and call of those on Bay Street or Wall Street, why don't we have the billions of dollars that are presently coming from Alberta invested in Alberta? Why can't Alberta have its own Bay Street and its own Wall Street in terms of investing Alberta resources to be able to attract and be able to use that financial vehicle for the benefit of all Albertans?

Mr. Speaker, a second option suggested by this motion is the creation of some type of personal mandatory retirement savings plan, or as I refer to it, an MRSP. Such a plan would have the potential for considerably greater investment returns. In fact, the first year that the limited CPP reserve fund was invested on the Toronto Stock Exchange, it earned a return of nearly 40 percent on a \$2 billion investment. That is a substantial and reasonable return by any account in terms of measurement. But this fully funded, privately managed MRSP option is also one that is favoured by several interested parties, including the Canadian Taxpayers Federation.

The CTF advocates a plan that would be mandatory in order to limit the financial strain on noncontributory benefit programs. It also favours defined contributions rather than the current system of defined benefits. The current system also forces the government to intervene or raise premiums in order to maintain the guaranteed benefit level. Ultimately what we are talking about here is the sustainability of those who invest. But if only contributions were defined, benefit levels would be determined by each individual's chosen investment strategy.

4:00

The MRSP option also has been utilized in other jurisdictions around the world, so it is not a new concept. In 1981 Chile replaced

its pay-go system with a privatized MRSP system. Under the Chilean plan employees were required to contribute 10 percent of their salaries.

With that, Mr. Speaker, I can say that I support the motion. I think it's an important Alberta initiative.

THE DEPUTY SPEAKER: I'm required to interrupt the hon. Member for Fort McMurray because under Standing Order 8(4) I must put all questions to conclude debate on the motion under consideration.

[Motion Other than Government Motion 514 carried]

### Snowmobile Trails

515. Mr. Coutts moved:

Be it resolved that the Legislative Assembly urge the government to establish a pilot project in partnership with the recreational snowmobile industry that would include such initiatives as a cost recovery fee system, i.e., registration and user fees, to support the development, maintenance, and promotion of safe, multi-use trail systems for snowmobiling in the province's green zone.

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

MR. COUTTS: Thank you very much, Mr. Speaker. It's my pleasure to rise today to speak to Motion 515. This, in essence, does wish to just examine the development of an industry sustainable, multi-use trail system for the recreational snowmobile industry in Alberta.

The necessity for snowmobile enthusiasts to define their role in the tourism industry is greater than that of some other recreational pursuits. This is because of the potential hazard of snowmobiling resulting from the extreme speed of the sport. There is also a large potential benefit for tourism in Alberta's smaller communities, as snowmobiling could bring excitement to touring rural Alberta during what is otherwise considered as a low or an off-season.

Unquestionably, there is a role for snowmobile enthusiasts to play in this development of tourism marketing, and positions such as tour guides, outfitters, language and trail interpreters will all need skilled and enthusiastic snowmobilers to help fill those positions. This value-added component – and that's what I'm looking at, the value-added component – to our tourism industry would contribute to local economies, which could mean more than just offsetting the costs of a trail network.

Mr. Speaker, many of the trails in the Crowsnest Pass area and the Pincher Creek area have historical significance as old trapping and ice fishing trails, each with an individual character and a certain amount of myth. Today, in the last 40 years, many cut lines and logging roads provide a very well co-ordinated trail system potential for southwest Alberta. One advantage of a trail network would be to begin the development of what are otherwise unused and remote areas throughout Alberta and provide greater economic and geographic diversity to our ever-expanding tourism industry.

In 1999 our own Pincher Creek-Crowsnest Pass area was ranked by *SnowRider Magazine* as the best overall snowmobiling area in western Canada. It was also ranked highest for the area where people would most like to ride in the future. So with increased tourist traffic, regular trail grooming becomes necessary in order to maintain the region as a competitive tourism destination. Trail grooming consistently ranks high in importance to vacationing snowmobilers in market demand surveys. With over 1,200 kilo-

metres of designated trails in the Pincher Creek-Crowsnest Pass area and with that overall ranking, a pilot project would be appropriate in the green area in the southwest corner of our province.

There is an expressed need to separate snowmobiling from some of its current, unofficial venues because of measurable harm being done both to property along particular routes and to the snowmobiling enthusiasts themselves. Snowmobiling is the root of much unintended harm to third parties, an issue that must be addressed as the popularity of the sport increases. Some of the negative aspects to nonusers include but are not limited to damage to farmers' crops, disturbance to farmers' livestock, as well as endangerment to other outdoor recreationalists.

The potential for ill will, worry, or even real harm to a sizable group of Albertans could be avoided by a separate designated trail system for snowmobiles. Not only would the snowmobile community welcome exclusivity over their trails, but other outdoor enthusiasts such as cross-country skiers, hikers, and winter campers could also enjoy the resulting peace. Farmers would be relieved of a major source of aggravation in real damage to their crops or to their livestock, and snowmobilers would no longer be prone to injuries such as the situation of being snagged suddenly by barbed-wire fences and that type of thing, which is devastating. The safety to our public health system alone would be substantial, not to mention the pain, suffering, loss of wages, and the potential loss of life to the snowmobilers.

Mr. Speaker, the cost of trail maintenance should be borne by the snowmobile community, as a lack of safe and well-mapped trails is primarily a safety issue with direct consequences to the snowmobiler. Harm to third parties would also be averted by separating snowmobile trails from other industrial and recreational venues, and the cost borne by the snowmobilers would represent a fair cost of participating in this activity.

Although it has long been the practice for snowmobilers and landowners to agree on land use for recreation, there is not always consensus. By co-ordinating activities provincially, there would be an assurance of a venue for snowmobilers and a greater assurance of safety. In some cases private landowners have been held responsible for damages suffered by trespassing snowmobilers. Because of this extraordinary capability for speed and manoeuvring, a snowmobile is capable of taking the life of a rider or causing serious injury. If for no other reason but safety, it is these types of incidents that cause trail development, maintenance, and mapping to demand our attention. I would hope that in the future there would be more discussion on the inherent risk of snowmobiling as well as a method of regulating those who have had the privilege of snowmobiling on designated trails in the province.

There are many issues surrounding snowmobiling that cross over into other areas involving dirt bikes and all-terrain vehicles, or ATVs, in the summertime, and it is reasonable that these similar pursuits could be and would be governed by a similar process. If these two sporting groups would come to an agreement, there could be a cost-sharing agreement for trail development. There could be some maintenance issues resulting from mud during the spring thaw, for instance, but these specifics could be left to the users to determine and to eventually settle and eventually participate in making the trail better for all concerned. Even if there were some issues that were difficult to resolve, with some initial guidance and the mechanism for the snowmobile industry to generate funding, problems could easily be addressed by the users themselves.

Mr. Speaker, even with Motion 515 there would still be a safety concern as new trails often have hazards. It is important that snowmobilers understand the risks involved with the trails where they are riding and that individuals are not placing themselves at risk

unless they choose to. An unfamiliar trail or cornering too quickly at an accelerated rate of speed can cause a snowmobile to tip and possibly harm not only the vehicle but the rider or others that are following. This problem could be avoided by offering adequate mapping as well as a simple rating system for the trails. Neither of these options pose a great cost but would nevertheless enhance the safety and reliability of trails.

It may also be necessary to address issues of determining how costs could be shared, where trails are to be developed, how trails would be maintained in remote areas, and how to incorporate the continued role of volunteers in this industry. Thus it is necessary to investigate these issues thoroughly and facilitate a consensus between users to solve the problems.

The Alberta Snowmobile Association has been actively seeking positive ways to increase the safety and the popularity of their sport, and I commend them for their participation so far and their concern for the industry. Many of their ideas have been developed into a limited trail system throughout the province. The focus on safe and well-maintained trails initiated by this fine organization could be extended to all potential users of the trails in the hope that they could also play a role in their maintenance and safety.

4:10

The lack of a co-ordinating policy has stifled growth in the snowmobile industry for far too long, and Alberta is behind nearly all other provinces in facilitating a snowmobile or multi-use trail system. Small clubs have attempted to create trails for the enormous demand, but they are unable to do so because they lack the resources and the volunteers for the task. Although the trails that have been developed strictly by volunteer units at this point in time are serving their needs, with the extra demand there is a need to go further.

Mr. Speaker, Marvin Eckert from Alberta Beach is an entrepreneur in the snowmobile industry, and he has expressed some very insightful points of view. Mr. Eckert is the chairperson of trail development for the Alberta Beach Snowmobile Club, and he is continually approached by people wanting to know where they can access new trails. The Alberta Beach Snowmobile Club has been given a mandate by its members to attempt to create a snowmobile or multi-use trail from Edmonton to Whitecourt, but so far they've succeeded in placing only seven kilometres of trail. Snowmobilers feel extremely frustrated in that they have no links between the trail system and they are forced to ride their snowmobiles along roads. Riding on roads and in the ditches is actually illegal.

Mr. Eckert, when asked, feels that there's great support for the province to take a leadership role in providing a pilot project for a self-sustainable multi-use trail system. He expressed a hundred percent support for increasing his registration fee if it were to include funding for a co-ordinated plan for a safe network of trails. The current system of snowmobiling along highways and ditches and on private property is limiting, and there are many voices and participants willing to change this situation if given the opportunity. Mr. Eckert from Alberta Beach likened the current situation to the registration of cars and trucks. It is, he said, the equivalent of providing registration but no roads to drive on, at least not legally.

He also described the incredible growth and the potential in the industry. Currently his shop, Ecco Marine, in Alberta Beach employs 14 people, all of whom stay there during winter months exclusively because of the snowmobile enthusiasts. The Alberta Beach Snowmobile Club has a hundred members, most of whom are involved in the club because of their interest in creating trails for recreational enjoyment. There are hundreds of others in the area not belonging to the club but who are equally interested in safe, well-maintained snowmobile trails.

Finally, Mr. Speaker, there is a multitude of uses for a trail system other than snowmobiling. The possibilities are almost endless if we consider the number of activities that take place in Alberta's remote areas. I mentioned dirt biking and ATVs earlier, but trail use does not have to be limited to vehicles. If some trails were to be specifically designated for use in the summer months by fishermen, naturalists, botanists, bird watchers, and foresters, I'm sure these people would make use of them. Almost any summer or winter recreational activity would benefit from good trails.

Mr. Speaker, improved access to more remote areas of the province through a trail system would create a truly unique experience for those seeking adventure in Alberta, and surely the opportunity for a hinterland adventure would be a further selling point for Alberta's tourism industry. I encourage all members of this Legislative Assembly to vote in favour of Motion 515 and increase recreational opportunities for all Albertans.

Thank you.

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

MS BLAKEMAN: Thank you very much, Mr. Speaker. What a pleasure and a thrill and a delight it is for me to get up and speak to the motion put forward by the Member for Livingstone-Macleod on snowmobiling, my favourite topic. He's raised a number of interesting points that I'd like to respond to. I remember that a few years ago – I think it might have been '97 – the same member brought forward a similar motion, perhaps a little wider in scope than this one, and we had a good debate on this at that time. Oh, it might have been a bill.

I have a couple of questions for the member, if we could get a bit more specific about what's being proposed here. The motion says, "in partnership with the recreational snowmobile industry," and I'm wondering if the member had in mind any particular group. He did refer to the Alberta Beach club, and he also referred to the Alberta Snowmobile Association. Was he anticipating that there was a partner already picked out to do this with? When it says "industry," I'm wondering if this was meant to be a coalition of suppliers, dealers of snowmobiles. I listened carefully to what he was putting forward, and that doesn't sound like where he's going with this.

Part of my asking those questions is: why are we not working with the Alberta Trailnet system, which is the Alberta component of the Trans Canada Trail, which is already set up to be a multi-use trail? This is now trying to go off and establish a new set of trails. That may well be a good idea, and it may well be fine. I'm just wondering why Alberta Trailnet didn't get considered in this equation. Maybe if he gets a chance, he can answer me on that or perhaps answer me in writing.

Now, what sort of fee was this "cost recovery fee system"? I'm wondering what sort of fee the member was anticipating there, because snowmobiling is not a cheap sport. I think that the smallest machine you can buy in this day and age is probably around \$5,500. You could easily drop 10 grand, and you wouldn't be buying top of the line with that amount of money. By the time you get suited up with the helmet, the suit, and the boots, you're probably looking at another couple of hundred, up to \$500 more if you want the leather outfit. Then you can get into all the accessories, things like the two-way radios in the helmets, the electric defogger on the helmet mask. So this is not a sport for the thin of wallet. Having said that, as snowmobilers – and it must be clear to everyone by now that I'm actually a snowmobiler and proud to have been one for 36 years – we're also willing to spend money to ride, to go places where there are good trails, well mapped and groomed.

The last time we debated this, I talked about how I was unhappy

that I was having to take my snowmobile tourism dollars out of Alberta because there really wasn't any place for me to do that kind of recreational riding here in the province, how I had gone down to Montana and Wyoming and specifically to Yellowstone park to ride there. They really lay out the red carpet for snowmobilers. The park is open to snowmobiling for almost half the year. The town welcomes you. You can ride through the town, with a few restrictions as to which roads you're not allowed to be on. The hotels certainly cater to it. You can rent machines there. That's where a lot of Alberta riders go when they're looking for a week-long snowmobiling holiday. There really isn't any equivalent place to do that here in Alberta.

There have been various attempts over the years to try and establish that, so I'm wondering if the member is aware of or what happened with the government-funded snowmobile trail loops that were put together by the government just outside of Calgary. I'm going to stumble on the names. I think one of them was McLean Creek and the other one was Sibbald Flats, or I might have those reversed. One was a fairly short loop, maybe 30 K, and the other one was even shorter than that. You know, those trails were made, and I think they were supposed to have been groomed for a time.

4:20

I remember hearing last winter, I think, from a grand snowmobiler, a master snowmobiler named Bob from Calgary, and he was right ticked off, because he would take his motor home and park it in the staging area there and ride from the staging area, and all of a sudden there were all these fees. He was being charged, and he was being charged a day fee, but on the other hand they wouldn't allow him to stay overnight there. So he just kept getting charged this day fee, and it was adding up to a fair amount, but he felt he wasn't getting any service. There was no plug-in; there was no electricity. There was no nothing.

So the government has in the past put money into snowmobile trails in this province. What has happened to that investment, and can we not go back to that and continue the work that was originally envisioned? If we're looking at giving support to this industry, frankly it's a smart idea. There's lots of possible tourism there. As the Member for Livingstone-Macleod pointed out, there are lots of possibilities for small centres and tourism dollars there. Why don't we have a look at what we've already invested in and see if there's any way that we can continue with that work?

Also, speaking of work that has been done in the past, when I was the executive director of the Alberta Snowmobile Association, about 1984 or '85, one of the projects I did was a map of all of Alberta which showed all of the different areas where there were clubs and riding areas, with contacts. So if you were going to go to Bonnyville, you could tell by the map that there was riding there, and it also had a phone number to contact so you could call up the local club and see if you could arrange to go out riding with them. That sort of thing was not a very expensive project at the time and might be something else to be done in conjunction with what the member is suggesting here.

He's right in saying that in order to be attractive to riders, you need to have trails that are interesting and long enough. Given the snowmobiles we have today, a 100-kilometre ride, 150-kilometre ride: nothing; that's easy. So a 30 K loop just isn't going to cut it; that could be done before coffee break. Then what are you supposed to do? Load up the trailer again and go back to town? No. So we do have to consider, if we're looking at a project, that it is long enough and interesting enough to keep people coming back to it.

Trail grooming is really important, and that's a huge difference between Alberta and everywhere else. B.C. has put a lot of money

into trail grooming there. They help their local clubs buy the big groomers, and we're not talking some piddly little thing that you pull behind a machine. These are great, honking big tractors that have proper grooming apparatus on them.

AN HON. MEMBER: Honking?

MS BLAKEMAN: Yeah, honking. Sorry about that, *Hansard*. They'll figure it out. Big, big. Okay?

AN HON. MEMBER: How big are they?

MS BLAKEMAN: They're big tractors, and the grooming blades are about 10, 15 feet wide for the trail.

AN HON. MEMBER: That's not 10 feet.

MS BLAKEMAN: No.

I am so glad that I have engaged the other member.

### **Speaker's Ruling Decorum**

THE DEPUTY SPEAKER: The chair hesitates to interrupt this, but, hon. member, when you engage across the floor, that's precisely what happens: soon the people on the other side drown you out.

We would remind all hon. members that only one member is being recognized at this moment, and that member is the hon. Member for Edmonton-Centre.

### **Debate Continued**

MS BLAKEMAN: Thank you very much, Mr. Speaker. Actually, I'm delighted that everyone is so engaged in this particular debate because snowmobiling is important to Alberta and it can be far more important to Alberta. It is a growth industry; it is value added. We really haven't paid very much attention to it here in this province, and I think that has been to the detriment of all for a number of reasons. Because there aren't a lot of known trails that are mapped and groomed, people tend to strike out on their own. It's very hard to get clubs together here, and certainly clubs are the backbone, as with a number of sport and leisure activities. They're the backbone of the sport. They're the ones that teach the kids safety. They're the ones that help sort of enforce with the adults that there's a safer way to do things and make sure that people don't drink and drive, for example, and don't cause damage to people's property, that there are trails laid out and carefully marked, and there are guides that will take you on the rides. That's the kind of thing that clubs can provide for you, but that's hard to get going in a small centre if everybody can just strike out on their own across the field somewhere because there are no trails to go on. So I think there's a lot that this province could be doing to really capture this, and they're not, so I'm encouraging them to do that.

Now, I was talking about trail grooming in B.C. That government has put money into assisting the local clubs to purchase these big groomers, and they do groom those trails. They are nice and flat and wide, and they have a maintenance schedule. There may even be money to pay an honorarium or perhaps a salary to someone to groom these trails. Again, B.C. has got a roaring tourism business during the winter in snowmobilers. They make a lot of money off Alberta snowmobilers going to B.C. because we don't have anything in Alberta. The grooming is really important, because I hear about it. People come back and go: oh, the trails on Clemina, they weren't groomed. There'll be a lot of complaining about it, and next time

they go out, they may not go up that particular mountain because they feel it wasn't groomed very well. So this is more than building the trails; it's also marking the trails and grooming the trails for usage.

Then beyond that could be mapping them, and that's certainly a possibility for a commercial venture. Mind you, I know that in Yellowstone everybody just hands the maps out. Any restaurant, any coffee shop, any souvenir shop, they'll all happily give you a map. Then other people make money by laminating them so when you drop them in the snow, they don't get wet, and things like that. There are all kinds of value-added things that are possible.

I do have a question about why this is being approached as a complete user-pay system. When I look at other sports and recreational activities, I go: hang on a sec. You know, there are a lot of them that have direct or indirect government support or community support for what they're doing. It could be municipal support. So I'm wondering why the insistence that the total cost be borne by the snowmobiler in this case. For example, ski hills get development money. NHL teams get money; that's hockey. Communities build arenas, and in the arenas then you can have curling and hockey and skating. So why this insistence that the entire cost is borne by the snowmobiler?

I'm now paying 35 bucks for snowmobile registration, and what am I as a rider getting for that 35 bucks, I'd like to ask. Now, I don't begrudge that; okay? I'm perfectly willing to obey the law and pay the fee. But this is 35 bucks, and I can only use this for less than six months of the year. So why isn't part of that fee being used to supplement the cost of building and marking and grooming and mapping these trails? Why is it now expected that I'm going to fork out even more money for this specific project? I'd like to know a bit more about where my snowmobile registration money is going first, thank you very much.

The second thing is that it can be a bit of a deterrent, and I'll fess up to this one. Because I'm now riding in central Alberta in the Athabasca area, I wanted to do the right thing and join the local club and support them. Now, the ASA has got a new scheme going whereby you now pay \$50 a machine a year, \$40 if you do the advance payment. You know, I rode once with that club up there, and I just thought: a hundred bucks for one ride; that's a bit steep, even for the snowmobile-loving person that I am. So I think we've got to be really careful about that.

The other issue that hasn't been dealt with here is occupier's liability. With decent occupier's liability we would have it made.

I'm going to get adjourned here, but I will come back.

THE DEPUTY SPEAKER: I'm required to interrupt the hon. Member for Edmonton-Centre. The time limit for consideration of this item of business has concluded for the afternoon.

4:30

head: Government Bills and Orders

head: Third Reading

### **Bill 3 Statute Revision Act**

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

MR. HANCOCK: Thank you, Mr. Speaker. It's my pleasure this afternoon to move for third reading Bill 3, the Statute Revision Act.

We've had some discussion on this bill at second reading and in committee, so I won't dwell on it other than to say that this act provides an opportunity for us to become a much more modern jurisdiction with respect to how we deal with statute revisions by

bringing forward not only the full and complete statutes revision for the year 2000, which is necessary, which is needed by all of those who refer to the statutes of the province of Alberta from time to time in the course of their business or in the course of advising Albertans about the law, but also providing for the unique opportunity to do revised statutes on a statute-by-statute basis, where appropriate, where statutes have been amended from time to time and prior to the general revision, which would happen on a 10-year or 20-year basis.

[Mrs. Gordon in the chair]

So by approving this act at third reading and by passing it into law, Madam Speaker, what we're doing is providing the opportunity for our statutes to be dealt with in a timely manner and consolidated and official versions provided on a revised basis, which will provide access to better and more timely revisions and which will give Albertans a useful tool in knowing the law that applies to them.

I would just conclude my debate, Madam Speaker, by thanking the Official Opposition. This is a bill which truly has been a model of co-operation. I had the opportunity to sit down with the opposition Justice critic from Edmonton-Norwood, as she then was, and the Opposition House Leader to deal with issues and concerns related. We even, I believe, consulted with the third party with respect to concerns that were raised and worked out wordings, which were passed by amendments in the Committee of the Whole, to deal with concerns that were raised so that we could truly work together to achieve a situation where Albertans would have access to updated laws on a timely basis.

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

MR. DICKSON: Madam Speaker, thank you very much. I'm pleased to join debate, albeit briefly, at third reading on Bill 3.

It's interesting. The bill has actually been before the Assembly for a long number of months but hasn't consumed a lot of debate. The reason is that in fact the government and the Justice minister in particular exercised some tremendous leadership here in terms of responding to what I still believe to be legitimate concerns raised from the opposition side, worked on and instructed his officials to draft amendments to basically address the concerns that the opposition had raised. I think it's fair to say that the opposition is quite satisfied now that Bill 3 as amended in fact is consistent with other legislation in provinces like Ontario, British Columbia, the federal government, and consistent with its earlier antecedents, the *Revised Statutes* of 1980, 1970, 1955, 1942, and even the *Revised Statutes of Alberta* of 1922. So I'm glad we've made those changes.

The only thing that might make this a perfect exercise in legislation would have been a referral of the regulations to the Standing Committee on Law and Regulations. But absent that, I understand we then get into a collision of different philosophies between the opposition and the government. So we might yet even have some opportunity to talk about my favourite amendment on other bills before we see the end of this fall session. I know the minister of natural resources is anxiously awaiting that debate, riveted to his seat, absolutely riveted, Madam Speaker, and looking forward to that clarification.

The other thing I just want to say, because I'm in some respects just the cleanup guy on this bill, is that I think something should be said about Sue Olsen, the MLA for Edmonton-Norwood. I think Bill 3 in many respects exemplified her leadership in the Assembly, her focus on being an advocate for constructive change, her role, I think, as a tough and assertive legislator but always a fair one, and one who I think was quick to point out and to thank the Justice minister when

he did the kind of disclosure and sharing of information on a timely basis as is the practice of the current Justice minister.

Maybe I'll see if I can get the signature of the Justice minister on a copy of the bill and be able to send it off to our former colleague from Edmonton-Norwood. It's simply a very small tribute to a small bill, but it exemplified, I think, her approach to this Assembly and to her job as an MLA.

Those are the comments I'd want to make to Bill 3. Thank you very much, Madam Speaker.

[Motion carried; Bill 3 read a third time]

### **Bill 27 Miscellaneous Statutes Amendment Act, 2000 (No. 2)**

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

MR. HANCOCK: Thank you, Madam Speaker. I move Bill 27, Miscellaneous Statutes Amendment Act, 2000 (No. 2), for third reading.

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

MR. DICKSON: I'd just make the observation, Madam Speaker, and restate the opposition commitment to continuing to work with government to expedite the passage of the miscellaneous statutes acts on the basis that the items in them are noncontentious, that they don't raise important issues of public policy, and that they're widely and strongly supported by those Albertans that as individuals and groups would be affected by those amendments.

I think we're making some headway. I'm not sure, Madam Speaker, but it seems to me that a number of years ago I remember seeing miscellaneous statutes acts the size of a Drumheller telephone directory or darn close to it. I think the fact that perhaps the government is being a little more selective in terms of those elements they propose to include is a very positive thing.

I hope the government and the next government, if we don't meet again, will adopt this model. For those members that are back, I know that ministers will choose not to take the easy way by saying every time they see a piece of legislation that it's easier to toss it into miscellaneous statutes than it is to take it through the convoluted internal bill review process of the government caucus. I know that the ministers of the current government wouldn't want to do that. Hopefully, their successors will have the same view of using the words "sparse" and "cautious" when they decide what comes forward for inclusion.

Those are my comments on Bill 27, Madam Speaker. Thanks very much.

[Motion carried; Bill 27 read a third time]

### **Bill 29 Protection of Children Involved in Prostitution Amendment Act, 2000**

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

MRS. FORSYTH: Thank you, Madam Speaker, for the opportunity to once again speak to the Protection of Children Involved in Prostitution Amendment Act. I would like to reiterate the importance of this bill, the importance of this bill to our children. Our

intent, our focus is and always will be the protection of children, children who have been sexually abused and exploited at the hands of adults. These children have had their lives torn apart by sexual predators. With the Protection of Children Involved in Prostitution Act, or PCHIP, as it's commonly known, and these proposed amendments to it we are protecting these children from abuse.

4:40

In essence it's child protection legislation, legislation that works to ensure that all children in Alberta are safe, safe from this abuse and safe from any harm in this province. With this legislation we are protecting vulnerable children and youth from sexual predators, johns and pimps who use and abuse them for their personal gain. Our current legislation is solid, and we know that it is working. With it we've helped many young people break free of abuse and begin rebuilding their lives, but the time is right for making improvements to this act. We're taking good, useful, important legislation and we're making it even better.

With these amendments we can strengthen the law and enhance its effectiveness, making it an even more powerful tool in our fight against child prostitution. First and foremost, these amendments enable us to provide even more support and assistance to these victimized children. Extending the initial confinement period and allowing for up to two additional longer term confinements allows us to provide more extensive counseling and support to children who are leaving prostitution. This additional time also provides for a longer recovery period, helping to certainly and clearly stop the cycle of abuse in which they are held. Breaking free of prostitution is an extremely difficult process. It takes time, it takes patience, and it takes perseverance. These children need the time to begin making the transition. We need the time to help them to take the first step.

These proposed amendments also ensure that children's rights are protected. As soon as a child is confined, the child will be informed in writing as to why he or she is confined, the duration of the confinement, and the rights to legal representation. The child will also be given the telephone number of legal aid and the opportunity to make their call to a lawyer. In addition, each child will be told that he or she may request a court review of the confinement. The review must be heard at the court's earliest opportunity. These amendments ensure that while we are protecting them, their rights are provided for and are protected.

The abuse of our children through prostitution is an increasing and pressing social issue. We cannot simply say that it doesn't affect me, or it doesn't happen in my community. Quite simply, it would be naive to make these assumptions. Youth have clearly told us that they are young people at risk. Whether it's street prostitution in Calgary or exchanging sex for food and shelter in Fort McMurray, no one is safe from this crime. We know these children could live in urban Alberta. They could live in rural Alberta. They could come from virtually any socioeconomic background, religion, or culture. They could even be your children or my children or our grandchildren. It's a chilling thought, and that's why we introduced this revolutionary new legislation last year and now the improvements to it today. We need to take a stand on behalf of our children.

I urge you to continually support and keep firm. We're talking about the vulnerable lives of our young people, the loss of innocence that can never be regained, the loss of hope, trust, and dreams. Our children need and deserve every possible means of support we can offer to protect them from their personal violation or devastation. It is up to us to ensure that they get it. I urge everyone in the Assembly to support this bill and watch over and protect our children. We want to keep them safe.

Madam Speaker, I want to thank the hundreds of people that have

written and phoned, the people that have participated in the amendments. From the children in the safe houses to the police, to the street workers, to all of those people I just want to say a simple thank you.

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

MR. DICKSON: Thank you, Madam Speaker. On Bill 29 there has been actually considerable debate, although the bill has moved very quickly through. It moved quickly because the opposition, as we did when the original child prostitution bill was in the Assembly a couple of years ago, acknowledged and recognized that this was a serious problem and a blight in terms of the social landscape of our province. It was an issue, in fact, that the Liberal opposition had pressed the government on since at least 1992, as various studies were done in the city of Calgary. There have been motions that have been debated in this Assembly focused fully or at least in part on the pernicious evil of child prostitution and child exploitation. I acknowledge again, as I think my colleagues readily have throughout the debate at different stages on Bill 29, the work done and the leadership provided by the Member for Calgary-Fish Creek.

I might say, though, that as I listened to her comments just a moment ago, it was almost as if she hadn't been participating in the debate we've had on the bill. Her comments were very similar to what she said when the bill was first introduced at second reading. That's fine. I mean, I don't disagree that there has been feedback from frontline workers and police and services and agencies involved, but something has happened since this bill was first given first reading. We have, I think, been able to look at the bill that the government brought forward and recognize a couple of things.

The first one. The Member for Calgary-Fish Creek I still don't hear acknowledge that the primary reason we're here with this bill is because a judge in the Calgary family and youth court found that some elements of the existing law offend some provisions in the Charter of Rights and Freedoms. That's why we're here, and that's why we're dealing with this bill. That's not to say that there aren't other things that were not directly in response to Judge Jordan's decision. Clearly that is the case, and there are a number of those elements.

I didn't hear the Member for Calgary-Fish Creek ever acknowledge that we, meaning the Legislature, got some tremendously useful instruction and advice from an experienced and knowledgeable family court judge doing what judges are supposed to do, which is applying the Charter. It's the one thing that puts some kind of brake on the powers of big, powerful governments, and on behalf of who? On behalf of individual citizens, because children have rights too. I think it's the position of my caucus that you don't assist children who have already experienced often huge personal challenges and injury of different kinds and different kinds of distress by then compounding the problems they've experienced by not treating them in a respectful fashion.

If I could just reflect a little bit on some of the debate that we've heard in the Assembly. We've recognized that the government has taken an extremely passive approach in an act which is absolutely activist and interventionist when it comes to the provision of legal assistance. The government has gone, then, in a 180-degree different direction and become amazingly passive. We've attempted during the course of the debate to suggest that this isn't good enough, and I remain of that view. Notwithstanding my respect for the Member for Calgary-Fish Creek and the Minister of Justice and the Minister of Children's Services, all three of whom I genuinely believe are motivated by trying to advantage children in distress – that's not an issue – I had difficulty with their reasoning in terms of not requiring

that every one of those children have not just the opportunity but active assistance to ensure that they could speak with legal counsel in terms of what the processes were under the act, in the bill we're dealing with now, and to offer some advice to children who are in distress, because that's why they're apprehended in the first place.

I continue to believe, Madam Speaker, that this is a significant weakness in the bill, and I guess that as there is an implementation and an application of the statute, we'll have to find out how it plays out. But I'm going to be encouraging MLAs to ask questions and to find out, and part of it may be a form of exit interviews of young women who go through this program. We'll find out how easy or how difficult it was for them to get legal assistance when they should have had it at an early stage.

4:50

Let's not forget that what we talk about here is taking children off the street and putting them in a safe place. We saw the other day the Justice minister talk about: well, my motivation, my government's motivation is to protect children; therefore, somehow that means we've got a different view of rights. I've already made my observation that that was a bit of a distressing thing for the top law guy in the province to say, because it seems to me that what the courts do is look at results and impacts, not simply a purpose. Judges only tend to look at the purpose and intent of legislation when there are areas of ambiguity, when there are things that require difficulty in construing and interpreting. As a legislator, as an Albertan I wouldn't want to rely on that means of trying to provide clarity around the bill.

The other thing that I notice with the bill – and we've talked about it in this Assembly; in fact, we talked about it just yesterday afternoon – is the very strange approach taken by the Minister of Children's Services, who says that for purposes of this child prostitute bill we simply say that the best interests test will govern, but we don't want to particularize that and give specific criteria that a court must look at in applying the best interests test. Yet the very same minister who stood in this Assembly and said it less than 24 hours ago also manages, implements, and enforces the Child Welfare Act. We saw yesterday that in section 2 of the Child Welfare Act they talk about best interests, and then they go on and particularize specific factors and criteria that the court must look at in making a decision under the Child Welfare Act. We have all the way from (a) through (m) of subsections that set out particulars.

So we're left with, I think, a very strange situation, with the government having a Child Welfare Act for the protection of thousands of children – and I look across at the minister now responsible for the mess that we see electrical deregulation has become. I remember when he was a minister of family and social services about 1993-95, in that time, and, you know, all that time there's been talk about children involved in prostitution and how we deal with them. I never, ever heard anybody say: we've made a huge problem with the Child Welfare Act; we're going to have to start whacking a great big section out of section 2 and take out the elements.

So we're left with a bit of a puzzle and a conundrum, Madam Speaker. To the extent that the opposition has tried to explore that and test it and try and find some coherent plan, reason, or rationale, we've been unsuccessful. So it will be Albertans, those who work with this bill and the act, the young people involved, the judges and the courts and that sort of thing, who are going to have to deal with this.

I also want to comment, as we're here, that the opposition has always felt that not only is this issue so important, but it's sufficiently important that it warrants some special attention, at minimum

on an annual basis, in the Legislative Assembly. We've attempted to work with government and certainly to propose, Madam Speaker, an opportunity that would require an annual report on the application of this statute as it will be amended soon, because we thought it was important that MLAs at least one time every year have to confront the reality that child prostitution continues on the streets of our communities. Also, we would be challenged implicitly every year to ensure that we've got the appropriation of resources and dollars and programs to ameliorate this pernicious evil in our province.

We weren't successful in persuading the government of that. We've heard some talk that there are ongoing reviews and that something may change down the road. But once again we have a government that will move with alacrity when it seems to be fashionable to do that, yet when there are other meritorious needs that require important attention, the government seems to lose its resolve or its focus or its commitment.

The other comment I'd make – and I loop back to something I said at second reading. You know, I try to understand the logic and the plan that the government had in dealing with this bill. After Judge Jordan rendered her decision in the summer of 2000, I recall the Leader of the Official Opposition challenging the Premier to come back into this Legislature in late August, September and rewrite the bill, taking into consideration the advice and direction that we've got from a judge, applying sections 7, 8, and 10 of the Charter of Rights and Freedoms. The government chose not to take that advice. Instead, they did something very peculiar. They launched not an appeal of the decision but a judicial review application. In fact, this is so rare that when somebody first asked me about it, I said that there must be some mistake. I'd forgotten that there was such a provision in the Criminal Code. Now, maybe that speaks more to my lack of knowledge, but it's a curious, curious route for the government to have gone.

We don't yet have the decision from Justice Rooke of the Court of Queen's Bench of Alberta. While we're at third reading, let's recognize, assuming we pass this bill today, that we may yet have a superior court judge, Justice Rooke, telling us that this doesn't pass muster, that this doesn't go far enough. And do you know what, Madam Speaker? We're then going to be in a position where the government's going to bring in a third attempt to sort of patch this thing up. [interjection] Well, I still prefer the route that was mapped out and promoted by the Leader of the Official Opposition. I think that as we look at the uncertainty – and I'd go further and say that it's been a long time since I've argued a case in court, but it seems to me that some counsel are going to jump on the fact that with this bill I'm not sure that we've taken adequate protection. I'm not sure that we've gone far enough in the area to make this act genuinely Charter-proof, and I believe that's part of our job here.

You know, this government has sort of a *modus operandi* that what we do is we pass what are often clearly deficient laws. At least from the perspective of most of us in opposition we think they're clearly deficient. Then what happens is that it's almost as if the government is setting this up. There's some sort of Rod Love type sitting near, giving government some advice on terms of how to do this thing. So what happens is that you get a judgment from the court, and then of course you get the chorus of backbenchers saying – the Minister of Justice wouldn't say this – “You've got to invoke section 33 of the Charter. That Charter is the problem. If we can just use the notwithstanding clause, we'll hit this gnat over the head with our sledgehammer and be done with it.”

Well, you know, we saw in last night's election result, I'd like to think, a clear signal that Canadians understand that it's not the sledgehammer to eliminate the gnat, that they expect legislators to



have specific targeted programs and responses to specific issues and challenges.

Madam Speaker, my time is almost at an end. I know there are some other people who want to speak to it. I'd make the observation, though, that the opposition has been in a bit of a conundrum on this bill also from a very practical basis. The bill came in last week, and as we always do, we have sent out copies of the bill to people in the province that we think are interested and would have good advice for us and good information. As you'll appreciate, very few people and certainly not very many nonprofit organizations work on the basis of the kind of turnaround that's required with the speed of bills that move through the Assembly.

5:00

So the conundrum is this. As an opposition do you drag the debate out so that the Elizabeth Fry Society in Calgary and their advocacy group, which is specifically studying teen prostitution, has a chance to register their comments on the bill? Do you wait until the Alberta Association of Social Workers tell us what they think? Well, if we do that, the risk is that we finish the fall session and the bill is left outstanding. As an opposition we didn't think that was a risk we wanted to put the children on the streets to, so that's why we agreed to co-operate to move the thing through.

MRS. FORSYTH: Vote against it if you don't agree with it.

MR. DICKSON: Madam Speaker, the suggestion was made that I should vote against it if I don't agree with the bill. I would have thought that in the course of debate we had made it abundantly clear we supported the principle of the bill. We're prepared to join with members on all sides of the Assembly to ensure children are safe, but if the suggestion is that it's all or nothing, that somehow government has found a means of perfecting legislation where in every single bill they bring forward they have the absolute perfect model, well, that has not been my experience. In the nine years that I have been in this Assembly, that has not been my experience at all.

So I think that somewhere along the way we have to learn that opposition plays a role here, and part of the job of opposition is to point out what we think are weaknesses. Our perspective – and I can't speak for all of my colleagues, but I don't think most of my colleagues view things as black and white and bad or good. We recognize that you can have a good purpose in a bill and that the bill can still be flawed. Notwithstanding the comments from the sponsor of the bill, we continue to believe that there's a role to play to try and improve legislation. I'm sorry, Member for Calgary Fish-Creek, through the Speaker. If she thinks this is the perfect bill, then I don't think she has been in the Legislature listening to some of the debate that has gone on in the last couple of days.

You know, we may agree to disagree on this. It will be for others to judge who's right and so on, but I do expect that there has to be some understanding that this bill is still, in my view, flawed. It is not flawed to the point where I'd recommend as the Justice critic that we vote against it, but my prediction is and I guess my expectation is that this bill is going to be back in front of the Legislature again. It's going to come back in. I think if members don't like hearing constructive suggestions or that at least are offered in a constructive spirit from the opposition and want to push on ahead because they think they've got the ultimate bill, well, recognize there may be a risk we run that we have to do it over again another time.

Thank you very much, Madam Speaker.

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

MS BLAKEMAN: Thanks very much, Madam Speaker. I'm glad to be able to have the opportunity to join in the debate on third reading on Bill 29, because I didn't get as many opportunities to speak on this as I had wanted to. It has been an interesting journey watching this bill go through because I think there was a genuine desire on behalf of the sponsor of the bill to identify a problem and to attempt to address part of that problem. I hope it's clear to everyone in here that we're certainly not addressing the entire problem of prostitution or, more specifically, prostitution involving children. This is taking a small chunk out of the side of it and attempting to try and do something.

The idea of the apprehension of children is fine. You know, everyone is allowed their day in court. Everybody needs their opportunity to say that there's been a mistake made here or whatever they want to say to the courts. Their access to that process is important, and it wasn't incorporated in the original act. Indeed the Member for Calgary-Buffalo has spoken at length about Judge Jordan's ruling on the act and the need to bring it back into this Legislature and put amendments through that would in fact make it comply and be acceptable under the Charter of Rights and Freedoms.

I think what's interesting about this is that at the time we were first debating this, all of these issues were brought forward. In particular, I remember the former Member for Edmonton-Norwood raising all of these points. That's part of my frustration with this process in here. There's a lot of talk about how boring it is for the government members to listen to the opposition, but in fact a lot of times we know what we're talking about and the suggestions we're bringing forward are valid and they're researched and they're backed up and supported by members of the community. I wish that we could have done this right the first time, but we did do it right the second time – or almost right. I'll get to that.

So we have, through these amendments, now addressed the need for the access to the judicial system. In reading the *Hansard*, one of the things that sprung forward to me was: well, yes, once a young person has been apprehended, they'll be told in writing why they've been apprehended, and then they'll be told in writing that they or the lawyer could access the courts if they wanted to. I thought: we're assuming a lot of things here like there's literacy and that there's literacy in the English language. In reading back through the *Hansard*, the Minister of Children's Services in fact answered this question and said: well, no.

When a police officer apprehends a child, the officer immediately explains why the child was apprehended and [then] tells the child that he or she has a right to a lawyer.

So as soon as the child is apprehended, they're told about it. When I read that, I thought: there are a lot of assumptions being made here. I mean, if you have a child, a young person that's working as a child prostitute, a policeman is not your friend. A policeman is going to arrest you, and then you're in trouble. So to assume that a young person who's now been apprehended by a police officer is going to turn to them and go: right; I'd like to take advantage of that offer of a lawyer, please . . . I could be wrong. I don't have a lot of experience. I have no experience in this business, but it strikes me that, you know, a kid is just going to keep their mouth shut and go along with it and try not to call any more attention to themselves.

I know we're in third reading and we're talking about the effect of the bill, but I sure wish that this suggestion had been taken. Maybe I do hope that we in fact have to come back and put that into the bill later. It's such an easy thing to deal with. I sometimes question the intransigence of the members opposite. It just seems they don't want to take the idea because it came from this side. That shouldn't be what this Legislative Assembly is about.

Now, I had raised the question about the literacy. The Minister of Children's Services seems to be addressing that question by saying that if the child was under the influence of drugs or alcohol and incapable of understanding the information, the worker is expected to give the information to the child again as soon as the child is capable of understanding it. So I'm assuming that they're trying to deal with this. But, you know, in the couple of experiences I've had in dealing with someone who was illiterate, they were pretty darn clever about not showing that. So we've got high expectations of these workers being able to figure out that the kid in fact couldn't comprehend what was written on that piece of paper and be able to explain it to them. I just think it would have been so much more straightforward and effective to have had the lawyer on-site, right there, offering those services, but it doesn't sound like it's going to happen this time.

5:10

One of the other issues that was brought forward by members of the opposition was defining the best interests of the child, and there was a list of criteria that was brought forward. I notice again that the minister responded by saying, "When you fetter any formula with additional criteria, you run the risk of not anticipating the criteria that would fit a very specific case." Well, I'm afraid the Auditor General would disagree. I mean, if you're going to have something, you need to have criteria defining whatever that means, because we could have a long and vigorous debate in this Assembly about what everyone's interpretation of best interest is. I think there are many differing views of what best interest is. I think eradication of poverty would be in the best interests of children. I think education would be in the best interests of children. I think programs targeted at societal acceptance of prostitution would be in the best interests of children, but that doesn't seem to be incorporated in this piece of legislation.

So why wouldn't you accept the criteria against which you can plan and measure the way you're interpreting this or whether you're going about it properly? To just throw it out there as best interests of the child strikes me as not as efficient as it could have been. I wonder if we aren't going to have more children fall through the cracks because of that, because we've got different views of what best interest is. You know, everybody's got a different view of what best interest is, and if you're trying to be specific about programs and services that are being offered – anyway, the amendment didn't pass, so I'll move on.

The effect of this bill is it does allow the apprehension. With the amendments now it's incorporating the suggestions from the courts to make it compliant with the Charter and the Constitution. I also note that there was response to the workers who have actually been working with the program around longer times in which the young person could stay in care and have access to counseling, which I think is a great idea, but we didn't go for the gold here. We didn't go for the blue ribbon, and I guess there are just no Olympic champs here that really wanted to make this an outstanding piece of legislation. I've already talked about the criteria, and I've talked about the lawyer.

The other thing that I think should have been done – and it's already been pointed out by my colleagues that this in fact would have been helping us comply with a number of other suggestions from other areas – is to have the Children's Advocate involved with this program and being able to access that and being able to report directly to the Legislative Assembly on it.

My compliments to the sponsoring member. I know it isn't easy to follow legislation through and get it through all of the various committees that approve bills like this and get it as far as she has.

So points for tenacity on that one.

We all know in this Assembly it is addressing a very small part of what is troubling children today and the barriers that children today are facing. We're all struggling when we read in the newspaper or see on the news that a child has hurt another child or there's been violence used in the schools or kids have been beat up outside of school. I mean, there are a lot of issues. What's in the news right now are those Inuit children and the gas sniffing. We think: how did this get so out of control? I had one guy say to me: well, where's the responsibility of the parents in all of this? Well, I think for any of us that really look at it, the parents are probably in just as much trouble, and part of what's happened to the young people is that they haven't had the guidance they needed.

The temptation there is to punish the parents and somehow just leave the kid out there, but in this case the legislation has tried to I think go as close to the heart of it as they can. We haven't been terribly effective in actually dealing with the johns. We haven't been terribly effective in dealing with societal acceptance of prostitution. But this was an attempt to deal with what could be dealt with or what was doable, I guess is another way to put it. I think it's important that you do tackle that legislation or tackle those programs that are doable, or we would never move forward in waiting for it all to be perfect, but that's not going to stop me as an opposition member from continuing to lobby for improvements in the bill. That's certainly what I've attempted to do today.

I have been impressed to see how quickly the bill has moved through the stages of readings, and I think that that is a compliment to everyone in the Assembly and is showing everyone's dedication to this issue. It's actually quite speedy passage, and I'm glad to see that. It has certainly been all parties pulling together on this one.

Those are the comments that I wanted to bring up in third reading. I appreciate the opportunity to speak at this stage of the bill. I'll be happy to see the passage of the bill and the implementation of it. Perhaps there's a way when the government is actually putting this amending bill into place to include some of the suggestions that have been raised by the opposition and indeed were put forward as our amendments, because I think they still are really good ideas and worthy of consideration.

With that, I will let the floor go. Thank you very much, Madam Speaker.

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

**MR. HANCOCK:** Thank you, Madam Speaker. I'd like to take a brief opportunity to comment on Bill 29 in third reading. Bill 29 is a very important bill because this government has had the objective right from the time when the PCHIP legislation was introduced as Bill 1 in a previous session of protecting children who are at risk, protecting children who are being exploited by perverts, protecting children who are engaged in activity which is demonstrably – and I think everyone would agree – not good for their health, not good for their well-being, and leaves them in a position where they have no self-respect.

It provides an opportunity for street teams working with these children to take these children off the street, out of the hands of the people who are exploiting them and into safe houses, into safe places where they can get a decent meal, get an opportunity to get some rest, and get an opportunity to get some counseling which will perhaps turn their lives around.

Now, we've had the opportunity, partially as a result of a case going before the courts and a decision of the courts, to review the act in its operation and work with the people who are in the front line of

this operation working with these unfortunate children and get feedback from them as to how the act can be strengthened so that those people can have a better opportunity to deal with these children and have a better opportunity to have an effect at changing those children's lives. That's what Bill 29 is all about, Madam Speaker. No more, no less.

It's an opportunity upon an early review of the operation of the act, which by accounts from all of the partners that have been involved – and I was at a youth justice forum at St. Thomas More church not a week ago and heard a sergeant with the Edmonton city police force describe to that forum, to the kids that were involved there and the parents that were involved there, what a good piece of legislation the Protection of Children Involved in Prostitution Act is, what a useful tool it is in the hands of all the caregivers, all the people who cared on the street who were working together in a co-operative fashion and how it brought them together in a co-operative fashion and what a useful tool it was in their hands in order to be able to deal with this unfortunate situation where children are being preyed upon. So I was very pleased when I heard that description.

I was very pleased when I was able to attend with the Minister of Children's Services a meeting that we held in August with people from all aspects of the implementation and use of this tool as to what a good act it had been, what a useful piece of legislation it had been for those people in their attempt to take these unfortunate children off the street and give them the opportunity for a better life.

5:20

So I am very pleased that we're able to bring forward the amendments to that act in Bill 29 to make that act even stronger with the benefit of the input from those people in terms of how we can make it better. It is stronger by having the five-day period instead of 72 hours. I think everyone acknowledges that in 72 hours sometimes you barely have the opportunity to have the child sober up, have a good meal, have a good sleep. There's very little time left to provide counseling or to intervene in any way, to provide the child with guidance and an opportunity to move into counseling, to move into some other form of treatment, those good opportunities.

MR. DICKSON: Or phone a lawyer.

MR. HANCOCK: The Opposition House Leader says: or phone a lawyer. That's where I think we get off track in this whole discussion. Yes, children have rights, and in this province we're very conscious of rights that children have. But we're also very conscious of the need for parental responsibility and the need for parents, in this case parents in the form of government, to provide guidance, to provide help, to assist when children go astray, to assist when other people are abusing children. That's what this act is all about. It's society providing that parental authority to help provide guidance to children in need and to help protect those children from people who are abusing them.

So this act has been a very useful tool, and the amendments that are being brought forward in this act are going to make it even stronger.

Now, there have been comments made that perhaps we're not going far enough, that in fact we're not reaching for the gold medal. Quite frankly, Madam Speaker, I think the assumption has been made that because one member of the court makes a pronouncement, that's the be-all and end-all of the issue. I prefer the interpretation which suggests that there is an interim discussion between the courts and the Legislature on this whole question of rights and the balance of rights and how those rights should be balanced.

We've made a very sincere attempt, I believe, to meet the

suggestions that were made about the need for children to have the opportunity to have that confinement reviewed by the courts if they feel their confinement is inappropriate. But we don't want to take this to the stage where children are being treated like criminals, where every child who's apprehended and confined needs to be taken before the courts when they don't need to be taken before the courts and in fact they don't want to be taken before the courts.

What many of these children need, from the experiences that we've heard from street teams and from people who are working with these kids, what many of these children really want is an opportunity to get out of the hands of their abusers, an opportunity to get that treatment. They don't want to be going to court. They don't want the interaction with the court. They want the help that's being proffered. Those that do, have that opportunity available to them, and that's the important part. That's where their rights are protected. We don't need to codify in law some fancy process whereby everybody has to have something before their rights are protected. Their rights are protected in this act. That's what was called for. That's what's here.

There was also a reflection in earlier debate about section 1. One can always go back and determine whether or not a case has been appropriately argued before the courts. I tend not to second-guess counsel in court as to strategies that they use when they argue cases. I think the counsel that we had in putting this case before the court, both in terms of the initial situation and in terms of the review process, put a very, very able argument forward. I think the judge perhaps did much in obiter which was not particularly necessary, but it was interesting, and I think we've made every attempt to take those comments into account in drafting this amendment.

What we're attempting to do is to meet the needs of the Charter, meet the needs of children's rights in an honest and proactive manner, in a manner which will allow the people who are on the streets trying to help kids get out of the hands of people who are abusing them and to get the help that they need to have the tools that are necessary. If that requires us to come back time after time after time to improve the act, then that's what we as legislators should do, and we shouldn't be ashamed of it. We shouldn't think it's a bad thing. Laws are not things that you design and you put in a crystal case and say: "There. That's done." Laws are things which are an iterative process, that you improve as time goes on, that you make changes and amendments to as they're required. We have no need to be ashamed of that process. That is the process that we're elected to engage in, Madam Speaker.

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

DR. MASSEY: Thanks, Madam Speaker. I'm pleased to have an opportunity at third reading to make some comments about the implications of Bill 29, the Protection of Children Involved in Prostitution Amendment Act, 2000. I'd like to go back to some comments I made when I spoke to the bill at second reading, and that's to start with the proposition that if the problem of child prostitution is truly to be addressed, it's going to take much more than Bill 29. Child prostitution exists in our community because there are some members of the community that believe it's acceptable, and that's the only reason it exists. There are some people across this province who believe that having children ply part of the sex trade is an acceptable thing to have happen.

Certainly a law such as Bill 29 can rescue some of those youngsters from an immediate situation, but I don't think that in any way we should fool ourselves that it handles the problem or takes care of the problem. That's one of my fears, that having passed this bill,

we'll leave this Assembly, and there will be those who feel that the problem has been dealt with.

I was reading some comments by Etzioni about the relationship between moral regeneration and legislation. He was trying to tease out a balance, and I think he came up at the end with a balance that said that what really has to change is the moral order. Laws can help that move along, but overwhelmingly if a problem is to be addressed, it's going to be because public morals have changed, the public position, the public acceptance on a particular issue has changed.

There are a number of examples that we have seen in recent times, Madam Speaker. The whole business of drunk driving. When I grew up, the slogan was: have one for the road. It was quite acceptable that you would drink, and in particular if you were male, it was acceptable that you would drink. Well, that's changed quite dramatically now, the slogan now being: friends don't let friends

drink. I think that captures the difference in public attitudes and our stance towards drinking in our society.

I think it's going to have to be a change of the same magnitude and probably even more to change the public attitude towards prostitution. It is abhorred by a large majority of the population, but still it exists, and it only exists because there are people in the community who think it's acceptable.

I go back to Etzioni. He tried to balance off the difference between law enforcement and moral voice. He said that law enforcement, if he was going to come up with a measure, would account for about 30 percent of any change, but 70 percent, the overwhelming percent of any kind of change like this, has to be because moral voices have been raised.

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