

Legislative Assembly of Alberta

Title: **Thursday, March 7, 2002**

1:30 p.m.

Date: 02/03/07

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon.

Let us pray. Our divine Father, as we conclude for this week our work in this Assembly, we renew our thanks and ask that we may continue our work under Your guidance. Amen.

Please be seated.

head: **Introduction of Guests**

THE SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. On your behalf I would like to introduce to you and through you 16 grades 5 and 6 students from Meadowview school, which is located in the Barrhead-Westlock constituency. They are accompanied this afternoon by Principal Jeannette Shipton and parent helpers Grace Huisman, Val Schafers, Patsy Shrode, Tami MacIntosh, and also their bus driver, Louis Robinson. They are seated in the members' gallery, and I would ask them to please rise and receive the traditional warm welcome of the Assembly.

Thank you, Mr. Speaker.

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

MS KRYCZKA: Thank you, Mr. Speaker. It is my great pleasure this afternoon, in the absence of the Member for Calgary-Lougheed, to introduce Steven Taylor, who sits on the board of the Member for Calgary-Lougheed's constituency association. Welcome, and I'd like the members to give Steven the warm welcome of the Assembly.

Thank you.

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

MRS. O'NEILL: Thank you, Mr. Speaker. It's my pleasure this afternoon to introduce to you and through you to members of this Assembly four classes of students from Neil M. Ross school in St. Albert. They are accompanied by a number of parent assistants and their teachers. They are here in the Legislative Assembly today, and I would ask all members of this Assembly to extend a warm welcome to them as they rise in both galleries.

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

MR. LUKASZUK: Well, thank you, Mr. Speaker. It is indeed a pleasure to introduce to you and through you to the members of this Assembly Mr. Allan Lowe, who is the president of the Alberta Roadbuilders and Heavy Construction Association, with whom I had the pleasure of meeting this afternoon and discussing Alberta's infrastructure and transportation matters. I will ask him to rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you very much, Mr. Speaker. It's my pleasure today to introduce four young Albertans that are very active in their campaigning for the executive of the PC Youth of Alberta, which we'll be having in a couple of weeks' time. In the members'

gallery I'd like to ask to stand: Marcus Hoyda from Barrhead, your riding, William McBeath from Edmonton, Tim Duncan from Calgary, and from the oil sands capital of the world, Fort McMurray, Blake Robert.

THE SPEAKER: The hon. Member for Calgary-North Hill.

MR. MAGNUS: Thank you very much, Mr. Speaker. I did find a jacket in time for this afternoon, you'll be happy to note.

It is my pleasure to introduce to you and through you to members of this Assembly a good friend of our government, a good friend of mine, and the best campaign manager in the business. In the members' gallery is Alan Hallman, and I'd ask him to stand up and receive the warm welcome of this Assembly.

THE SPEAKER: All hon. members will know that the hon. Member for Calgary-North Hill attempted to enter these precincts without the appropriate dress.

head: **Ministerial Statements**

THE SPEAKER: The hon. Minister of Community Development.

International Women's Day

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise to recognize International Women's Day tomorrow, March 8. This is a time to reflect on the progress made to advance women's equality, to look at the challenges of today and tomorrow, and to celebrate women's achievements.

In Alberta we have worked hard to remove barriers that would otherwise prevent women from achieving full equality. As Minister of Community Development with responsibility for human rights and for women's issues I know that we will continue to make good progress. The Human Rights, Citizenship and Multiculturalism Act includes gender as a protected ground, which means women may not be discriminated against because they are women. This act also provides for protection against sexual harassment. It addresses equal pay for the same or similar work. It also seeks to prevent discrimination based on pregnancy or source of income.

Though legislation offers protection, one of the best ways to bring about change is through education. This is a very significant part of International Women's Day, and it is an important role within my ministry. The Alberta human rights, citizenship, and multiculturalism education fund, also within my ministry, has funded a variety of education projects addressing issues of concern to women, including an emphasis on young women. However, women's issues go beyond the jurisdiction of one government ministry. As Alberta's minister responsible for women's issues I value the contributions made by other Alberta government departments that provide programs, services, and legislation of benefit to women.

Our elected female colleagues are excellent role models and leaders for women in this province. Alberta has had other strong female leaders in the past, as we all know. The best-known examples of course are the Famous Five: Henrietta Muir Edwards, Nellie McClung, Louise McKinney, Emily Murphy, and Irene Parlby, all of whom helped lead the struggle for women's equality that resulted in women being recognized as persons with full rights to participate in politics in Canada.

I also value the work of the federal/provincial/territorial ministers responsible for the status of women, with whom I have already met once and with whom I hope to meet at least annually. This important partnership allows us to collectively address issues that cross jurisdictional boundaries. For example, our work in the area of

violence against women and women's economic independence is particularly noteworthy. The indicators of violence against women is one such project that will provide clear information that is useful for developing policies and programs that support women who unfortunately are victims of violence. It will also help to prevent further violence from occurring. As status of women ministers we are also undertaking a study to identify growth sectors of the labour market that offer high-paying jobs in which women may be underrepresented. We will also identify strategies pertaining to issues regarding recruitment, retention, and so on.

On Saturday, March 9, it will be my great pleasure to attend a special celebration of International Women's Day hosted by the Indo-Canadian Women's Association, care of the Mill Woods Welcome Centre for Immigrants in my greater area. I invite everyone to join me and to otherwise use this special occasion to recognize the contribution of all women and, in particular, Mr. Speaker, of Alberta women, to help celebrate their strengths, their contributions, their achievements and to think of ways that we can continue to foster equality and other issues of importance.

Please join me in acknowledging International Women's Day.

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

MS CARLSON: Thank you, Mr. Speaker. I am pleased today to rise in response to the minister's statement on International Women's Day. International Women's Day came about because of the Bread and Roses March of 1908. This march was a pivotal moment when women took their dreams and their visions to the streets. They knew things had to change, and they made it happen.

But dreams and visions don't become a reality overnight. It takes little steps and small victories to get to something greater. In honour of International Women's Day I challenge all members of this Assembly to help a young woman make a dream a reality. Help her take a small step. Give her a hand in achieving that victory. It could be your daughter, your granddaughter, your niece, or maybe your friend's daughter. Take the time to talk to her; find out what her dreams are. What is she afraid of? Where does she want to be next year, in five years, or in 10 years? Listen to her current favourite CD, and learn why she just can't live without it. Let her listen to the CD that you can't live without, or maybe your first choice is still on vinyl. Read each other's favourite book. Spend time volunteering together. Hang out at the mall and find out what all the fuss is about. Let her pick out your clothes before you do this. Set a fitness goal, and work together towards it. Learn all the rules to one sport and get off the couch and go play it. Teach her how to change the oil in her car. Help her learn about investing. Take the time to find out what she needs to do now for that totally cool job in the future. Now help her do it. Go for a walk somewhere new. Visit a museum or an art gallery, and learn more about one of the artists. Teach her how to cook that old family recipe. See how much fun you can have with just \$10. Teach her how to lobby a politician. Help her organize a letter-writing campaign. And don't say that you are too busy. We can all be too busy. Stop and think of the people who have made a difference in your life. Now be that person for a young woman. Don't just recognize and celebrate. Take action and inspire.

1:40

If you need inspiration, remember the words of Nellie McClung: "Never retreat, never explain, never apologize. Get the thing done and let them howl." She also said:

The women who have achieved success in the various fields of labour have won the victory for us, but unless we all follow up and

press onward the advantage will be lost. Yesterday's successes will not do for today!

Those words are as true today, Mr. Speaker, as they were when Nellie first said them.

Thank you.

head: Oral Question Period

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

Children's Services Special Case Review

DR. NICOL: Thank you, Mr. Speaker. It has been reported that the Minister of Children's Services wants to know why her department did not fight for temporary guardianship of the twins who later died in a motel room in Thunder Bay. My question is to the Minister of Children's Services. The minister's own news release states that in addition to the special case review, there will be another internal investigation into staff accountability. Will the results of this be made public, and will the minister's role in this be also investigated?

MS EVANS: Mr. Speaker, we have issued a notice that we will have a press conference tomorrow at about 10:45 a.m. We will at that time outline the response that has been outlined in the opposition's question. The minister's own role in this no doubt will be a part of the public scrutiny and is always up for review, but clearly I will be responding on the two areas of the special case review and the human resource issues that we were reviewing.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Why did the minister not co-operate with the Alberta College of Social Workers when they asked for the names of the social workers involved so that they could do an internal review within their profession?

MS EVANS: Mr. Speaker, that's an excellent question. About two weeks ago I saw to my considerable surprise an article in the paper that referenced that the minister may in fact be on a witch hunt, which in fact in my view compromised what would have been a very credible college response. It was a fairly significant article that almost identified prematurely what the outcome of an investigation may or may not be. I have written – in fact, that letter no doubt will be distributed today to the college – a response to the college saying that in my view that was a serious compromise of their effectiveness in doing an unbiased investigation.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. The department is the minister's responsibility. Will you commit to review process rather than trying to pinpoint any one or two employees in this case?

MS EVANS: Mr. Speaker, process is a great deal of what is being done with the special case review, and I will respond further and clarify further what process reviews will be involved following tomorrow's release.

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

Handicapped Children's Services

DR. NICOL: Thank you, Mr. Speaker. The Official Opposition is hearing from parents of handicapped children that prior to last fall's

budget cuts their children qualified for support, but now they no longer do. As an example, one couple's child was born with cleidocranial dysostosis, which means that the jaw cannot function properly. To the Minister of Children's Services. This child used to qualify for support from your department but doesn't now when the medical processes are needed.

MS EVANS: Mr. Speaker, just prior to the commencement of our question period I received from the hon. member opposite a copy of a letter relative to the circumstance he has identified, and I will be very pleased to look into it and give a proper response. The intricacies not only of the letter but of this particular case, I think, would behoove me not to respond about it and give a half-measured response but to just confirm once again that this government spends for handicapped children's services for 9,000 children an average of \$55,000 per child, or \$55 million per year. I hope there is no inference that we are not spending money on children with special disabilities.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. My next question is to the minister of health. Will the minister of health take the responsibility for children whose medical needs are no longer covered by Children's Services because these now fall under medical? In this case it's dental procedures.

MR. MAR: Mr. Speaker, there are certain types of conditions that are considered medical in need as it relates to what is referred to by physicians as maxillofacial conditions. Whether this particular individual case falls within the ambit of the program that we have for dealing with those conditions, I don't know, but certainly if the hon. leader would be good enough to forward to me the information, I'd be happy to look into that for him.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. My final question is to the Premier. Obviously, we have a case here where a child has fallen through the cracks between Children's Services and health care. Will the Premier ensure that children who have medical needs where prevention measures have been taken care of by Children's Services will have them covered either by Children's Services or by Alberta Health?

MR. KLEIN: Mr. Speaker, the hon. Minister of Children's Services has given an undertaking to investigate this matter and to report through the Legislature.

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

Early Intervention Programs

DR. MASSEY: Thank you, Mr. Speaker. St. Michael school in Edmonton is one of the many to feel the cuts to early intervention programs. Sixty-three percent of their children are from single-parent families, 56 percent are from families on social assistance, and 42 percent of their children suffer attention deficit hyperactivity. My questions are to the minister of social services. Given that department cuts have meant the loss of this school's guidance counselor and social worker, does the minister consider them unnecessary in a school like St. Michael?

MS EVANS: Mr. Speaker, the particular circumstances in St. Michael school I would be pleased to take a look at along with the staff of Ma'Mōwe child and family services authority. It relates, in fact, to those supplementary supports that are provided to the school for the intervention programs.

Mr. Speaker, since last fall we have been working very clearly with three principles in mind: to in fact make any cost containment or reductions as far away from the children who are most at risk as possible. We have been working very hard to make sure that the children's needs are the primary focus, that health and safety come first. We have been working to be sure that we address that significant child welfare caseload that has been a part of our authorities' concerns over the past year.

Mr. Speaker, over the past five years child welfare caseloads have increased 65 percent. The number of social workers has increased by 60 percent, and the budget that is in Ma'Mōwe that is for child and family services increased 20 percent this year over last year to \$178 million – I can't stress that too much: \$178 million – which two years ago was less than \$130 million.

We're putting money in the system even though we have cost-containment measures. We're doing our level best to put our priorities on the needs, the special needs of children. While parents and while our society abdicate that responsibility and when they do, we have found ourselves involved in many more cases than we might have been in the past. It's a trend, Mr. Speaker, that we hope we can curb. The early intervention programs – the hon. member is right – are an important part of what we have to work on, but we cannot do that in peril to those that are more acutely affected.

DR. MASSEY: Mr. Speaker, to the same minister: aren't you really adding to that caseload when the principal at St. Michael indicates that without those early intervention programs, those youngsters are going to end up being placed in government care?

1:50

MS EVANS: Mr. Speaker, every time there have been reductions or realignments of programs, there has always been another program available. I think that while we have not probably gone as far as we could have to communicate those on some of the frontline circumstances – perhaps St. Michael school is one of them – many have found other programs as options that they have found worked very well. I would be very pleased to follow up on the issues at St. Michael school with, obviously, the Minister of Learning as it pertains to learning issues and see if there's something more that should've been done in this situation. We are not denying the importance of early intervention programs, but simply put, we have been trying to use our dollars as wisely as possible, and we have been focusing not only on those early intervention programs but on the home visitation and early childhood development programs that we are also funding. Let's be clear. Last year we doubled the amount of money in this province that went out in early intervention and early child development. It is not a case of cutting and removing programs as much as it is trying to get the allocations right within every child and family services authority.

DR. MASSEY: Thank you. To the same minister, Mr. Speaker: has the minister visited schools like St. Michael, and would you commit to visit St. Michael to see the impact of those cuts?

MS EVANS: Mr. Speaker, of course I would visit St. Michael school. I have visited schools, and I could certainly provide the hon. member with the number of schools I've visited.

THE SPEAKER: The hon. leader of the third party, followed by the hon. Member for Calgary-East.

Teachers' Labour Dispute

DR. PANNU: Thank you, Mr. Speaker. Earlier today the government announced that legislation will be introduced next week which sets up an arbitration process to settle the teachers' contract dispute. My question is to the Premier. Will the Premier assure this House that the legislation to be introduced next week will contain a sunset clause and apply only to this round of collective bargaining and not to future rounds?

MR. KLEIN: I think I can safely say that the legislation being contemplated would anticipate a sunset clause, Mr. Speaker, because we do want to in all sincerity return bargaining to the local jurisdictions, where it rightfully belongs.

THE SPEAKER: The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. Will the Premier also assure this House that the legislation to be introduced will not include provisions that will remove the teachers' right to strike after the contracts reached through binding arbitration expire?

MR. KLEIN: Mr. Speaker, nothing of that nature is being contemplated in the legislation.

THE SPEAKER: The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. Will the Premier ensure that the upcoming review will focus on strengthening public education in this province and involve widespread public consultation with parents, teachers, students, school boards, and the general public, in stark contrast to the closed-door process used to develop the Mazankowski report?

MR. KLEIN: The form and nature of the summit or blue-ribbon panel or Mazankowski-style commission has yet to be determined, but I can give the hon. leader of the third party assurance that virtually everything will be on the table. There are so many factors involved in this complex issue of education, Mr. Speaker, and we need to have a full and broad-ranging discussion on all of these issues, issues such as student/teacher ratios, special-needs children, sparsity and distance, postsecondary. I mean, the list goes on and on and on. There are so many issues. Believe me; since it was announced that this is being contemplated, my office has received numerous phone calls with suggestions and ideas as to what should be included in this study of education. So it's my feeling and I believe the feeling of caucus that it should be wide open, and virtually everything is on the table.

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

Kyoto Accord

MR. AMERY: Thank you, Mr. Speaker. My question today is to the hon. Minister of Environment. The Canadian Chamber of Commerce recently released a report estimating the cost of the Kyoto accord to the Canadian economy at about \$30 billion, very close to our minister's own estimate. It is clear that the federal Liberal government is not listening to Canadians. In fact, the federal Liberal Environment minister just unveiled his hot air trading policy in

Vancouver yesterday. So my question is to the Minister of Environment. Could the minister explain to Albertans as to what is the meaning of this hot air trading policy?

THE SPEAKER: The hon. minister.

DR. TAYLOR: Thank you, Mr. Speaker. This is a very important issue to Albertans. In fact, yesterday in the speech, if I could just quote a couple of phrases from it, the federal Minister of the Environment talked about buying emission reduction permits, buying emission reduction credits, and buying credits in the international marketplace. Who has to buy those? Well, I'll tell you who has to buy those according to this speech: major industrial plants, of course, which Alberta has plenty of in Fort Saskatchewan, Joffre, and other places in the province; oil sands operations – who else in Canada has oil sands operations? – petroleum refineries; and electrical generators. So those are the companies that will be penalized by having to buy emission credits.

These emission credits, Mr. Speaker, will be bought on an international market by these companies, which will increase the cost of these companies' products. As they increase the cost of these companies' products – you know, we compete with Mexico, whose products will not be increased; we compete with Venezuela and the U.S., whose products will not be increased.

So our position is very clear. If – if – the federal government ratifies this, Mr. Speaker, they must recognize that they're ratifying it on behalf of all Canadians, and all Canadians must share equally and fairly in the cost and not just Albertans.

THE SPEAKER: The hon. member.

MR. AMERY: Thank you, Mr. Speaker. To the same minister: could the minister outline to Albertans as to what is the Alberta alternative to the Kyoto accord?

THE SPEAKER: The hon. minister.

DR. TAYLOR: Certainly, Mr. Speaker. Well, in the first place, let me say that we recognize that climate change is important, and we are taking many actions that I could outline: a project in Weyburn, Saskatchewan, with us and the federal government looking at carbon capture and storage. Perhaps the Minister of Innovation and Science would like to comment on that further when I'm done. So that's one thing. But we're doing many projects like that: Climate Change Central and Ride the Wind! in Calgary and so on.

Overall, Mr. Speaker, our position is very clear. We need a North American approach to climate change that includes the U.S., that includes Mexico, that includes Canada, because 92 percent of our trade is with countries who are noncompliers. We need a North American approach just like the Europeans have what they call the European bubble. Quite frankly, the European bubble can meet their goals, because in Germany they closed down a whole bunch of industries that were noncompetitive in East Germany and they reduced their CO₂. Portugal can increase its emissions by 30 to 37 percent, so they spread that around the European bubble.

THE SPEAKER: The hon. member.

MR. AMERY: Thank you, Mr. Speaker. Could the minister explain to Albertans who are very concerned about the effects of climate change on our water supplies as to what his department is doing to address this very important issue?

THE SPEAKER: The hon. minister.

DR. TAYLOR: Yes, Mr. Speaker. We announced a proposal or a consultation process this week where we are going to go out and look at issues all around the water supply, you know, in terms of how we deal with water, how we conserve water in this province, how we look after our water, because water is vital to future economic growth of Alberta.

I will make just one comment. There is not a clear connection in the science between the climate change and dwindling water supplies that we see in Alberta today.

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

Private Registry Offices

MR. MacDONALD: Thank you, Mr. Speaker. Identity fraud seems to be a growing business in Alberta. It is also a crime. On November 14, 2001, the Minister of Government Services stated in this House, "Let me reassure you that drivers' licences are safe in Alberta today." My first question is to the Minister of Government Services. In light of the headline news from Calgary of what may be the largest fake driver's licence scam of its kind in Alberta, can the minister still assure us that things are fine?

Thank you.

2:00

THE SPEAKER: The hon. minister.

MR. COUTTS: Mr. Speaker, absolutely. I can stand here and let Albertans as well as this House know that our system is safe and secure in Alberta today, and we are always on the lookout for fraud and forgery. Always. It's a policy of this province that no one should be susceptible to this type of thing. We are working with stakeholders in this particular incident, particularly the Calgary city police. We co-operate through our department of registries to make sure that this type of thing does not happen in the future, and as a result of that, I can announce to this House today that effective this morning a freeze on the date of birth that goes onto a driver's licence will remain on that customer's record forever. There is no provision today to change the date of birth on that driver's licence. We have made that correction today.

One thing we'll make sure of is that this stays forever, that that date of birth will not be able to be changed without the approval of the registrar of Alberta Registries.

MR. MacDONALD: Again, Mr. Speaker, to the same minister: given that we need to ensure that all registry systems are secure and protect the privacy and confidentiality of personal information of Albertans, will the business contract of the private registry company in question in Calgary be revoked until this matter is investigated by your department?

MR. COUTTS: Mr. Speaker, this particular incident has absolutely no bearing on the particular registry office. It does have everything to do with an employee of a registry office and how that employee went about doing her work.

Mr. Speaker, our contract with registry agents is a very successful system in this province. Privatization is not the villain here. This is a particular problem with an employee, and this could happen in any business. It could even happen in a public utility business. It could happen in a private business. It's one of those things that when you take a person, a human being, and technology and put them together,

if the motives of that particular individual working in that office, wherever that office may be, are against the rules of society, that's what causes the problem.

So, Mr. Speaker, I can say that of the 6 million transactions that our registry offices in Alberta handle today on behalf of Albertans, those 6 million transactions are handled in a safe and secure way.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the same minister. Let's go north, in this case to Edmonton. Can the hon. minister be certain that things are fine when just this past January in Edmonton an accredited driving school was charged with offering a bribe with regards to a client's driving test while the same day a Mill Creek registry was charged with forgery and taking secret commissions?

Thank you.

THE SPEAKER: The hon. minister.

MR. COUTTS: Thank you, Mr. Speaker. In view of the fact that this registry was charged, it would not be appropriate for me to comment. However, I will say that because that individual was charged, the registry office was closed immediately. That is no different than where the employees in registry offices must sign a code of conduct and ethics, and if they violate that code of conduct and ethics, they are immediately dismissed by the registry agent manager.

I would also like to reassure Albertans that I will be contacting our stakeholders, and in this particular case the stakeholder will be the Alberta Registry Agents Association. We are going to take a look at criminal record checks or security clearances for all employees of registry agents' offices, and we will be doing that in the very near future.

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

Confined Feeding Operations

MR. MARZ: Thank you, Mr. Speaker. My first question today is for the Minister of Sustainable Resource Development. Earlier this year the Natural Resources Conservation Board took over responsibility for approving confined feeding operations, or CFOs, as we now call them. This new process has caused some alarm amongst some neighbouring constituents of CFO developers who fear the new process will allow for a huge and sudden increase in the number of CFOs in their neighbourhoods. My question to the minister is: how will these constituents who have concerns with the CFO application have their concerns heard and fairly dealt with?

THE SPEAKER: The hon. minister.

MR. CARDINAL: Thank you very much, Mr. Speaker. Of course, the NRCB is providing a very good and important service for Albertans for a very, very important industry. Agriculture is very important to all Albertans. In fact, Albertans living near the CFOs will actually have more to say in the decision-making process as far as approval with the new legislation that is in place. An example of this: the NRCB will notify Albertans that are living near the proposed CFOs, and these Albertans will also have an opportunity to review applications and provide their input and comments.

As well, of course, because municipalities are very important in the process, municipalities will be a part of the decision-making

process. Municipalities will have an automatic standing with the NRCB and will be asked to provide input in the application process. This is the important area, Mr. Speaker, that in fact the NRCB will ask municipalities to identify areas where CFOs may apply and where they may not apply, and I think that is a good process to have.

THE SPEAKER: The hon. member.

MR. MARZ: Thank you, Mr. Speaker. My second question is to the Minister of Environment. Some experts still express concerns about the impact of CFOs on water quality and say that another Walkerton is right around the corner. What assurances can the minister give that the water supply in rural Alberta will remain safe?

DR. TAYLOR: I'd like to assure the member that because of these changes in the way it's going to be handled, there is no change in environmental regulations. The environmental regulations, I think, will be in fact put into effect more appropriately because they are going to be done by one body that oversees the whole thing, and as a result it'll be consistent across the province, Mr. Speaker.

The other thing I would say is that Alberta does have the most strict drinking water standards in the country and the most strict standards for operators in the country. So certainly as we go forward with that, Mr. Speaker, we will maintain that and maintain our high-quality water.

THE SPEAKER: The hon. member.

MR. MARZ: Thank you, Mr. Speaker. Again to the Minister of Environment: given that some small farms and residents have told me that they've been waiting over a year to get their water wells registered, is Alberta Environment placing a higher priority on water well licensing for CFOs than on residential water well registrations?

DR. TAYLOR: No. I can assure the member that that has not in fact happened. What has in fact happened, Mr. Speaker, is that this program was ongoing for three years, and we actually got most of the applications in just the last few months. We have 25,000 applications on our desks right now, so we will get to them hopefully by the end of March.

THE SPEAKER: The hon. Member for Edmonton-Riverview, followed by the hon. Member for Calgary-Mountain View.

Out-of-region Patients

DR. TAFT: Thank you, Mr. Speaker. The Calgary health region recently instituted a policy of limiting access for out-of-region patients during times of high demand. Rural doctors are worried that this will mean limited access and greater restrictions for rural residents. My questions are to the Minister of Health and Wellness. Given that the minister is ultimately responsible for the health care of all Albertans, what is he doing to ensure that rural Albertans receive the same access to care as urban Albertans?

MR. MAR: Mr. Speaker, I have asked this question of the regional health authority in Calgary. I've been advised that there are approximately 12,000 people that come from outside of the regional health authority to seek medical care within that particular region's boundaries. They assure me that the most urgent and emergent of cases are dealt with within the city of Calgary. They, of course, do have critical times when they are not able to take all people who

come in, but those that have the most emergent and urgent needs do get looked after immediately.

THE SPEAKER: The hon. member.

2:10

DR. TAFT: Thank you, Mr. Speaker. Even so, how does the minister justify providing one level of care to residents, say, of Bragg Creek and a different level of care to residents just down the road in Okotoks and High River?

MR. MAR: Well, Mr. Speaker, that's not the case at all. We treat all people based on their medical need and not based on the geography in which they live.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. As RHAs begin closing their doors to patients from outside their regions, what is the minister doing to ensure that Albertans don't end up with 17 different levels of care?

MR. MAR: Well, Mr. Speaker, I think it would be fair to say that we have much more of a system now than we ever have. The hon. member will recall a time when there were over 200 hospital boards and health regions throughout the province. There are now 17. I can assure the hon. member and members of this House that more than ever our regions are working together. They are collaborating. They are ensuring that transportation among and between regional health authorities is as seamless as possible, that the people who have the highest needs are dealt with immediately. Of course, an individual who has an urgent or emergent need, regardless of where they live in the province, will get the care that they require.

The hon. Member for Edmonton-Glenora is heading up a committee that is responsible for looking at further opportunities for collaboration among and between regional health authorities. I expect some good work to be done by that member and the members on his committee, and they'll be coming back this fall. But make no mistake about it, Mr. Speaker. More than ever our regional health authorities are working together and collaborating, and their interests are not in their regions but on patients in the province of Alberta.

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

Justice System

MR. HLADY: Thank you, Mr. Speaker. Members of Calgary's legal community and specifically the Alberta branch of the Canadian Bar Association have brought a number of concerns to my attention about our justice system. It is their opinion that an overall lack of provincial funding is causing problems in how justice is administered in Alberta. My questions today are to the Minister of Justice and Attorney General. Because the Canadian Bar Association has identified court facilities as a critical situation, can the minister update us on the status of a new single-court complex previously discussed in this House that could be paid for by the private sector?

THE SPEAKER: The hon. minister.

MR. HANCOCK: Well, thank you, Mr. Speaker. The Calgary court situation is indeed an interesting one. We have six different locations for courts. It was identified in January '99 at the justice summit as an area where there was confusion among the public as to

where to access courts from time to time, and of course we're reaching a point where we've reached capacity. Infrastructure has been very helpful in both providing the renovations on a timely basis and providing – we have what we call affectionately the trailer courts in Calgary, and those have been very helpful.

But it's very, very necessary that we proceed with a court facility, a justice facility in Calgary on a timely basis. Because of the need to look for innovative ways to do that in order to get the financing, we will certainly be considering – and we've been promoting, and I've been talking with the Minister of Infrastructure and others in government and with the private sector – how we might do that with a public/private partnership.

MR. HLADY: To the same minister: can the minister respond to concerns that inadequate resources have led to the deterioration of our justice system?

MR. HANCOCK: Well, Mr. Speaker, inadequate or under funding is always a matter of opinion and a matter of perspective. We have a very good justice system in this province, and we provide justice services on a very timely basis and, I would suggest, with good quality. The people working in the system do a very, very good job. We've supplemented the funding with supplementary estimates last fall when we needed to add additional prosecutors and to pay better in that area, and we've since had a supplementary estimate just last week which helped us address the issue with respect to judicial clerks, which was a problem.

So we're moving to deal with areas where there are resourcing problems and have handled that area. We also, of course, have had a bit of a problem, particularly in Calgary, which I think is what's generating some of the letters from the Canadian Bar Association, in that the hiring freeze in government has impacted the fact that as we had problems in the judicial clerk area, we had an unusual number of vacancies in that area. So we've had to work around that.

But, Mr. Speaker, services are being delivered on a timely basis. Where there have been holdups, those holdups have been limited to areas where there is not an urgency. We've been working with the courts and with the court services division to make sure that the services are delivered on a timely basis to Calgarians.

THE SPEAKER: The hon. minister to supplement.

MR. LUND: Mr. Speaker, the hon. member is indicating that there's been a problem with providing services as it applies to the Court of Appeal. It is true that we did have some difficulty. As the hon. member probably knows, back a year ago January there was a mold discovered in the old Court of Appeal. We had to move the people out of that building. We then had difficulty housing the Court of Appeal in another location. We have tested a number of buildings to make sure that the air quality meets the standards that the Court of Appeal justices feel is necessary. It has not been a case of lack of money; it's been very difficult to site the Court of Appeal. Of course, there has been some inconvenience because they did have to sit in Edmonton as opposed to Calgary. But certainly we have done everything we possibly can to find air quality that would be satisfactory to the Court of Appeal.

MR. HLADY: Well, thank you very much for that answer.

Can the minister address the concern that a lack of funding is increasing the time to trial in Alberta courts?

MR. HANCOCK: Well, thank you, Mr. Speaker. In fact, average time to trial across Alberta has not increased but has been reduced

significantly in recent years. The average time to trial in Provincial Court was 14 weeks, the same as it was in 1996-97 and three weeks shorter than 1998-99. Times in other courts have fluctuated up and down since the 1990s, but average time to trial in our courts has remained relatively stable.

There are some very interesting developments in that area, Mr. Speaker, that I believe the hon. member and others in this House might be very interested in. You've been reading lately in the newspapers about the collaborative law project in Medicine Hat, where they're finding that the family law list has essentially dried up because lawyers are working with their clients to keep things out of the courts, to resolve things on a collaborative and a mediated basis. It's a very positive approach and one which is spreading across the province. Medicine Hat leads the province again in that area.

Mr. Speaker, I would encourage other ways of mediation, arbitration, and the collaborative law process which takes those issues that don't need to be in the courts and, quite frankly, aren't effectively resolved in the courts out of the courts, and that allows the court resources to improve our time to trial even more.

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

Land Acquisition

MR. BONNER: Thank you, Mr. Speaker. In November the county of Barrhead gave a campground back to the province in exchange for \$10,000 and three paved approaches. Alberta Transportation needs the land for a road project. My questions are to the Minister of Transportation. Is this type of innovative funding strategy available to all municipalities?

MR. STELMACH: Mr. Speaker, land disposition and land acquisition is done by the minister responsible, and that's the Minister of Infrastructure.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. My next question is to the Minister of Infrastructure. How did your department decide that a campground was worth \$10,000 and three paved approaches?

MR. LUND: Well, Mr. Speaker, I will have to take that particular question under advisement because, quite frankly, I cannot follow every land transaction that we have in the province of Alberta, because there are hundreds if not thousands of them annually.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the same minister. The province had previously turned the campsite over to the county for one dollar. Is land for road projects really that expensive?

MR. LUND: Well, Mr. Speaker, usually with any land – and a campground is one of them – the process is very straightforward. We first offer it to the municipality, and if the municipality is not prepared to purchase the land, then we move out to the private sector. Once again, for this particular incident that the member is talking about, I wish he would have asked me to get some information for him. I cannot follow on a daily basis every transaction.

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

2:20

NHL Player Levy

MR. MASON: Thanks very much, Mr. Speaker. Yesterday the Premier confirmed that this government is considering yet another new tax, this time on hockey players. The Premier also indicated that the idea of tying this tax to an agreement to keep the Oilers and Flames in Alberta was interesting. The New Democrat opposition has received positive reaction to the idea of tying any sort of tax assistance for NHL teams to some sort of agreement which keeps those teams in Alberta. To the Premier: has the Premier given any further thought to the role that this tax might play in keeping NHL hockey in Alberta past 2004?

MR. KLEIN: Mr. Speaker, indeed, all the steps that we have taken as a government – the lottery program, the contributions to improving the infrastructure of two publicly owned facilities, i.e. the Pengrowth Saddledome and the Skyreach arena, and the taxation system – are designed to keep those two teams in Alberta. This has been done in concert with the management of the two teams, and while there's been no formal written assurance that the teams will remain here, everything that is being done is being done to keep the teams here at least until 2004, at which time the fundamental problem of salaries can be discussed.

THE SPEAKER: The hon. member.

MR. MASON: Thank you, Mr. Speaker. Would the Premier agree that Albertans would be justifiably angry if the government gave the owners of the Oilers and the Flames millions of dollars of tax money yet they moved the teams anyway?

MR. KLEIN: Well, Mr. Speaker, it only stands to reason that if the teams are not here, then there would be no taxation. I mean, who would we tax? Do you mean that the Buffalo Sabres are going to come in here and play with themselves and pay the tax? Think about it. [interjections]

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

MR. MASON: Thank you very much, Mr. Speaker. Well, clearly the Premier is rattling his sabre.

In the event that one or both of Alberta's NHL teams are moved in the next few years, what will this Premier tell Albertans about this historic lost opportunity to secure the future of NHL hockey in Alberta? How will he explain his failure to act?

MR. KLEIN: Mr. Speaker, if the teams are lost – and I don't think that they will be. I think the measures that we've taken, the measures that the two teams have taken to bring back fan support – by the way, the way the two teams are playing right now makes it I don't know if I should say quite likely but possibly likely that they will make the playoffs. It's that kind of fan support, it's the kind of support that the teams receive from the government and the municipalities that will provide assurances to Flames and Oilers fans that the teams will be around until they can come to grips with the fundamental problem. That's the problem of salaries, and I understand that can't be negotiated until the year 2004.

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

Physician Achievement Review Program

MS DeLONG: Thank you, Mr. Speaker. A constituent recently

asked about a questionnaire she filled in about the practice of her family doctor. She wanted to know what this information is used for. My questions are for the Minister of Health and Wellness. What is the physician achievement review program, and why is the public participating in it?

MR. MAR: Mr. Speaker, this is the first program of its kind in North America. The PAR program, as it's often referred to, requires the practice of every licensed physician to be reviewed at least once every five years, and since the program was instituted in 1999, some 1,600 physicians have participated.

The program is unique because it gives patients an opportunity to evaluate the performance of their physician, and each physician's review includes a series of questionnaires that are completed by the physician, that physician's peers, and a number of the physician's patients. By answering questions about the performance of their doctor, the public can provide very valuable feedback on how physicians can provide the best care to their patients.

THE SPEAKER: The hon. member.

MS DeLONG: Thank you, Mr. Speaker. Also for the Minister of Health and Wellness: how many Albertans have completed the questionnaires?

MR. MAR: I'm advised that some 40,000 Albertans have participated in performance reviews of their doctors under the PAR program. The public will continue to play a key role in this very important aspect of physician continuing competence programs.

There has been an independent review of the PAR program, Mr. Speaker, and it was found in a survey of patients that they very strongly support this particular program. The program will help Albertans understand that all health care providers, including physicians, must maintain a safe and competent level of practice.

THE SPEAKER: The hon. member.

MS DeLONG: Thank you, Mr. Speaker. How can Albertans get the information about the independent evaluation of the physician achievement review program?

MR. MAR: Mr. Speaker, as I indicated, an independent review has been conducted as required under the Medical Profession Act, and at the appropriate time later today I will table the report that has been prepared. As I indicated also, this is the first program of its type in North America and is being adopted by the college of physicians in the province of Nova Scotia and is currently being looked at by the province of Manitoba. The College of Physicians and Surgeons of Alberta will provide copies of the review to the public, and I'm advised that they will post it on their web site. My department will also refer public inquiries about this important report to the college.

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

Children's Services in Grande Prairie

MS CARLSON: Thank you, Mr. Speaker. We have a breaking story from the Grande Prairie *Herald-Tribune* which indicates that another 16-year-old city youth was weeks away from returning to his mother's care when he froze to death December 20 after a drinking party blocks away from the group home child and family services

placed him in. Could the minister please tell us why this youth wasn't properly monitored?

MS EVANS: Mr. Speaker, today I cannot tell the hon. member what she is asking. I will certainly undertake to bring it forward. I have checked all of the information to date, and I know that there are more questions I have. So I will bring it forward when it's appropriate.

MS CARLSON: Well, Mr. Speaker, can the minister answer this question then: what's wrong with the care that she's providing to youth in Grande Prairie? We have ongoing incidents where youth in care are not properly supervised and are not properly taken care of.

MS EVANS: Mr. Speaker, if this is a generalization referencing the case that was brought forward the other day, there are some very unique circumstances which have been involved in that case. It's not a general epidemic that affects one particular stream of youth or one particular situation. They're very individual cases. My preliminary review of the second situation would indicate that it's not remotely connected with the first situation. There was a question in this House the other day, for example: was it a regular occurrence to have children unsupervised in motels or having access to motels? In fact, according to the authority it isn't a regular case; it is a rare occurrence. Although motels are sometimes used to harbour families in situations when family violence has occurred, it is not regular to put children in them. So I would rather not generalize and to be very specific in my response and provide more information later.

MS CARLSON: Mr. Speaker, as twice a month for drinking parties for youth in care is twice too often, can the minister tell us why this death occurred on December 20 and it's only coming to light now?

MS EVANS: Not today.

THE SPEAKER: The hon. Member for Calgary-Fort, followed by the hon. Member for Red Deer-North.

2:30

Low-income Program

MR. CAO: Thank you, Mr. Speaker. My question today is to the hon. Minister of Human Resources and Employment. Mr. Minister, you have indicated to this Assembly that you have received the report from the MLA committee that reviewed the low-income programs provided to Albertans. In the meantime people are still facing problems. For example, a constituent of mine who was on the AISH program now receives a Canada disability pension, a monthly income of over \$860. That disqualifies him from AISH coverage by a mere \$10. Now he has to pay \$60 per month for his medication. That takes away from his food money. To the minister: when are you going to fix this problem in such a way that the lower income who are on medication can get help?

MR. DUNFORD: Mr. Speaker, the member is quite right in identifying this problem, and it happens almost continually as people are on the AISH program as the disability income increases. This, I think, points out the need that we had for that low-income review team. Of course, it was one of the things that's been identified. Some of these programs are simply not fair. They don't provide the kinds of services that people need, in my view, and I hope, then, that all members in this House will see that some reform is required.

THE SPEAKER: The hon. member.

MR. CAO: Thank you. My first supplement is also to the same minister. Considering the tight budget, could the minister look into these situations case by case, based on the personal hardship circumstances, while waiting for the broad-brush policy changes?

MR. DUNFORD: Well, we'll do what we can, Mr. Speaker, in that sense, but again I think the member is on to an excellent line of questioning here. It shows the need that we have here in Alberta to move away from labeling, to move away from entitlements, and start looking and treating people as individuals with individual needs.

THE SPEAKER: The hon. member.

MR. CAO: Thank you. My last supplement to the same minister: what is it that my constituent can do to get his medication covered so he doesn't have to spend his food money on medication?

MR. DUNFORD: What I might suggest at this point, Mr. Speaker, because we're talking now about a specific constituent, is to make sure that we've been advised, and we'll look into it on an individual basis.

THE SPEAKER: Yesterday in the question period several questions were addressed to the hon. Minister of Health and Wellness. The hon. minister would like to respond to those questions now, and that's permissible, but under our long-standing tradition I also will accord, then, the opposition member who raised the question a supplemental with respect to it.

The hon. minister.

Gas Flaring Study

MR. MAR: Very good, Mr. Speaker. Yesterday the hon. Member for Edmonton-Ellerslie asked about a western Canada study on animal and human health effects associated with exposure to flares. My recollection from my time as Minister of Environment is that there was a program going forward on animal health studies, and that is continuing. We still have committed \$2 million to fund a human health portion on this particular study, but we are deferring our commitment on this study. While we think that it still has potential to be of value, we will determine our next steps once the study on animal health results are available. The Minister of Environment may wish to supplement, sir.

THE SPEAKER: The hon. minister.

DR. TAYLOR: Certainly, Mr. Speaker. This is an ongoing study. It's a three- to four-year study. The total cost of the study is in the neighbourhood of about \$19 million. The province has spent \$11 million so far. It's a study that crosses the three prairie provinces. We're in a position now where just in supplementary estimates the other evening we were given another \$4 million for this study. There's another \$4 million on top of that that needs to be spent, so we're presently encouraging the other provinces of Manitoba and Saskatchewan. They haven't put in any money yet, period, so we're encouraging the provinces of Manitoba and Saskatchewan to contribute their fair share. However, they are in a little different financial situation as they have NDP governments.

head: Members' Statements

THE SPEAKER: The hon. Member for Medicine Hat.

Alberta Winter Games

MR. RENNER: Well, thank you very much, Mr. Speaker. It's with great pleasure that I rise today to acknowledge the success of the Alberta Winter Games held February 16 to 19 in my constituency of Medicine Hat. [some applause] Thank you, hon. members.

The Alberta Winter Games provide a competitive opportunity for Alberta's developing athletes mostly between 12 and 17 years old. This year there were approximately 2,800 participating athletes, coaches, and officials. Many of these committed athletes will continue on to the Canada Games and, Mr. Speaker, perhaps one day to the Olympics. You know, Jamie Sale, one half of our Canadian gold medal figure skating pair in Salt Lake City, was first an Alberta Games athlete.

To organize the games, much co-ordinated hard work is required. I would like to acknowledge the entire board of directors for a job well done; in particular, Mr. Ron Zablocki, chairman, and Mr. Ken Sauer, vice-chairman, who spearheaded the outstanding event. Of course, I would like to acknowledge and thank the roughly 3,000 volunteers and countless corporate and organizational sponsors who ensured the success of the games. If you're keeping track of numbers, Mr. Speaker, you will note that there were more volunteers than participants. Southeastern Alberta's generous support and dedication has shown itself once again. Finally, I would like to congratulate all of the athletes. Your commitment to training and excellence serves you well and our province well.

As usual, Medicine Hat's local athletes were well represented and particularly successful. I would like to send out a special congratulation to the Medicine Hat athletes participating in archery, biathlon, bowling, boxing, curling, fencing, gymnastics, judo, hockey, ringette, squash, and various skiing and skating events.

Mr. Speaker, hats off to Medicine Hat, our wonderful host city for the 2002 Alberta Winter Games.

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

Public Health Care System

DR. TAFT: Thank you, Mr. Speaker. Alberta's public health care system is sustainable. Spending on health care in Alberta today is not out of line with historic levels nor with other provinces, and the fundamentals of an outstanding system remain in place. What Alberta's system needs more than ever is steady, strong management. It needs stable funding. It needs innovation within a public framework. Albertans deserve an efficient and effective health care system, and the Alberta Liberal opposition is working hard to ensure that Albertans get exactly that.

The Premier and others have gone to lengths to convince Albertans that provincial spending on health care is soaring and out of control. By reliable measures that simply is not true. Once inflation and a larger population are accounted for, it turns out that the Alberta government is spending about the same amount on health care as it did 10 and even 15 years ago. We had an excellent system then. We can have an excellent system again.

The current boom-and-bust cycle in health care funding is wasteful and harmful. It is unacceptable that events a few months ago on the other side of the world are determining how long Albertans wait for health care services today. Stable funding is needed, and it is possible.

The most recent Auditor General's report contains over 20 pages of detailed recommendations on ways to improve the system, but rather than improving management, the provincial government seems intent on turning health care over to market forces. Market forces do work well for many things, but they do not work well for

health care. In study after study the evidence of this is overwhelming. For-profit hospitals in the U.S. typically function at about 65 percent of capacity. Alberta's major hospitals run at over 90 percent capacity. It may well be that there isn't a for-profit hospital in North America that operates at the efficiencies routinely achieved by hospitals in Alberta.

This doesn't mean there isn't room for improvement. There are a host of innovations that should be enacted within the public system. Specialized surgical centres for such things as eyes and joints are operating with wonderful efficiencies within the public system. Alberta's health care system does not need radical surgery. It needs steady, strong leadership.

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

International Women's Week

MRS. O'NEILL: Thank you, Mr. Speaker. I rise today to acknowledge and to speak in support of International Women's Week in Alberta, March 3 to 9. While disgracefully there are many countries and numerous communities around the world who treat their women as second- and third-class citizens, I wish to point out that the intrinsic value of women and the rightful position of women in society is first-class.

Over the past several months there were two pertinent events that took place in St. Albert. The first was an exhibition called Connecting Voices at our Musee Heritage Museum, which was a collage of photographs, taped voice interviews, and art pieces created by and for women of St. Albert past and present. The other event was a one-person play written and performed by St. Albert actor Maureen Rooney, who presented an historical, autobiographical drama of six remarkable women who played significant roles in building our community.

The task as I see it before us today, as we reflect on the successes and the circumstances of women around the world, is to raise the awareness of every man and woman that every human being, that every woman is first and foremost equal in dignity and rights.

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

2:40

Public Health Care System

DR. PANNU: Thank you, Mr. Speaker. When historians look back at the year 2002, they may well write that it was a landmark year for our Canadian health care system. While the Alberta Tory government speeds up privatization of the system based on the Mazankowski report, the federal Romanow commission will issue its final report by year's end. It's very clear that the Alberta government's strategy is to implement the Mazankowski recommendations incrementally in the hope that it won't give Albertans who advocate strengthening Alberta's public health care system a tangible focus to shoot at. That's why no fewer than seven Tory-dominated task forces, panels, and committees have been set up to implement this report. The government clearly hopes that if they can generate enough fog, the Mazankowski report's core recommendations of delisting, user fees, and further privatization will be obscured.

The New Democrats oppose turning health care into a market commodity. We reject privatization. Evidence from the U.S. and elsewhere clearly shows that this will only drive up costs and impede access. Instead, we propose gradually extending public coverage to include home care and prescription drugs. Instead of shifting more costs onto the sick, the injured, and the elderly in every family, the New Democrats support funding health care as a shared responsibility through the public treasury.

Finally, the federal government must contribute a greater share of health care funding if we are to maintain a national health care system available equitably to all Canadians. Innovative solutions to the problems facing health care can and must be found within the public system. If medicare is to be strengthened rather than put on the road to ruin, it will be due to the efforts of the millions of Canadians who know that medicare works. The New Democrats built medicare. We ask all Albertans to join with us in making sure it's strengthened and sustained.

Thank you, Mr. Speaker.

head: **Presenting Reports by Standing and Special Committees**

THE SPEAKER: The chair of the Public Accounts Committee.

MR. MacDONALD: Thank you, Mr. Speaker. As chair of the Standing Committee on Public Accounts I hereby submit five copies of the report of the Standing Committee on Public Accounts for the First Session of the 25th Legislature covering the committee's activities in 2001.

Thank you.

head: **Notices of Motions**

THE SPEAKER: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you. Mr. Speaker, normally at this time I'd be moving a motion regarding Written Questions and Motions for Returns; however, there are none on the Order Paper. Nonetheless, I thought it important to mention this for the awareness of the House.

THE SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. I'm giving oral notice today of Bill 12, the Education Services Settlement Act.

head: **Tabling Returns and Reports**

THE SPEAKER: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you. Mr. Speaker, in supplement to the excellent accolades that are already offered by our Premier to Alberta's Olympic team, I'm pleased to add my sincere personal congratulations as minister responsible for sport in Alberta to all athletes, coaches, trainers, parents, and family members, and also to hereby table personal letters of congratulations to our Olympic medal winners, including Ryan Smyth, Eric Brewer, Jarome Iginla, Kevin Martin, Don Bartlett, Don Walchuk, Carter Rycroft, Ken Tralnberg, Jamie Sale, Catriona LeMay Doan, Cindy Klassen, Beckie Scott, Deidra Dionne, Alanna Kraus, Colleen Sostorics, Cassie Campbell, Kelly Bechard, Hayley Wickenheiser, Danielle Goyette, and Dana Antal.

I'd also like to just note quickly, Mr. Speaker, that I will be attending on behalf of the government of Alberta and all Albertans the special celebration on March 11 at Edmonton city hall to honour these outstanding Alberta-based athletes in the Pride in Our Olympians ceremony.

Thank you.

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

MS KRYCZKA: Thank you, Mr. Speaker. With your permission I

would like to table five copies of three letters from constituents of mine in Calgary-West – Gisele Durand-Smith, Trevor L. Smith, and Claude J. Durupt – requesting that the Bighorn wildland recreation area be designated as a wildland park.

Thank you.

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

DR. PANNU: Thank you, Mr. Speaker. With your permission I'd like to table five copies of a document known as Edmonton this Quarter: Winter 2001-02. This document shows that Edmonton's population includes a significant and growing segment of people for whom basic housing is unaffordable, inappropriate, or simply not available.

Thank you, Mr. Speaker.

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

MR. MacDONALD: Thank you, Mr. Speaker. I have this afternoon two documents that I would like to table for the convenience and for the information of all hon. members of the Assembly. The first one is proposals that are being discussed, hopefully currently, for changes to the Appeals Commission of the Workers' Compensation Board. The second document is also related to proposals to change and improve, hopefully, the Workers' Compensation Board. These are for all members of the Assembly.

Thank you.

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

MR. MAR: Thank you, Mr. Speaker. Sir, I beg leave to table the requisite number of copies of a document entitled Alberta's Physician Achievement Review Program: a Review of the First Three Years.

MR. MASON: Mr. Speaker, I'm tabling today with your permission five copies of a letter from Mr. Stan Halluk of Calgary addressed to the Minister of Health and Wellness on the subject of toxic flaring. As flaring and venting of solution gases pose considerable risk to public health, Mr. Halluk is urging the Minister of Health and Wellness to support Bill 203, the Gas Flaring Elimination Act.

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

DR. MASSEY: Thank you, Mr. Speaker. I have two tablings today with your permission. The first is the required number of copies of a letter from Neil Evans, who is dissatisfied with how the government has handled the concerns of teachers, writing in part that he's disillusioned with the negative attitude and that a school system that used to be the best in the world has been changed.

The second letter is from Pam Head, who wanted her voice heard in the Legislature with respect to health care reform and A Framework for Reform report. She urges the Premier to go slow on a very important issue and, you know, in her and my opinion, take a lot of planning and public input. So she would like the Premier to slow the process down.

Thank you, Mr. Speaker.

head: **Projected Government Business**

DR. MASSEY: Would the Government House Leader share with the Assembly the projected government business for next week?

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. On Monday, March 11, in the afternoon, of course, is private members' business, and from 8 to 9 Motions Other than Government Motions, but at 9 o'clock we would anticipate being in Committee of Supply, should the House so decide this afternoon, for day 1 of two in interim supply.

On Tuesday, March 12, in the afternoon under Government Bills and Orders for second reading bills 12, 14, 16, 15, 6, and 13, and for third reading bills 1 and 2 and as per the Order Paper. In the evening at 8 under Government Bills and Orders, Committee of the Whole, Bill 12; Committee of Supply, day 2 of interim supply; and, should the House so determine, introduction of Bill 17, the Appropriation (Interim Supply) Act; and as per the Order Paper.

On Wednesday, the 13th, for second reading bills 9 and 5, in Committee of the Whole Bill 12, and second readings which weren't completed on Tuesday, as per the Order Paper. At 8 p.m. under Government Bills and Orders, Committee of the Whole, bills 12, 5, 7, 10, 11, 3, 4; second reading of Bill 17; third readings as per the Order Paper.

Under Government Bills and Orders for Thursday, March 14, for third reading bills 12, 1, 2; third readings based on progress Monday, Tuesday, and Wednesday; Committee of the Whole on Bill 17, the Appropriation (Interim Supply) Act, and as per the Order Paper.

head: **Orders of the Day**

head: **Transmittal of Estimates**

THE SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you, Mr. Speaker. I have received a certain message from Her Honour the Honourable the Lieutenant Governor, which I now transmit to you.

THE SERGEANT-AT-ARMS: Order!

THE SPEAKER: Hon. members, the Lieutenant Governor transmits estimates of certain sums required for the service of the province and of certain sums required from the lottery fund for the fiscal year ending March 31, 2003, and recommends the same to the Legislative Assembly.

Please be seated.

2:50

MRS. NELSON: Mr. Speaker, I wish to table the 2002-2003 interim supply estimates. These interim supply estimates will provide spending authority for the Legislative Assembly and for the government for two months ending May 31, 2002. Before that date, probably by mid-May, it is anticipated that spending authorization will have been provided for the entire fiscal year ending March 31, 2003. As announced previously, we are tabling Budget 2002 on March 19.

Interim supply amounts are based on departments' needs for routine monthly payments. In addition, they also need to make some annual payments at the beginning of the fiscal year and at the beginning of the quarter. Payments also need to be made for deposit by government clients before the due date of June 1.

head: **Government Motions**

8. Mrs. Nelson moved:

Be it resolved that the message of Her Honour the Honourable the Lieutenant Governor, the 2002-2003 interim supply

estimates, and all matters connected therewith be referred to Committee of Supply.

[Government Motion 8 carried]

9. Mrs. Nelson moved:

Be it resolved that pursuant to Standing Order 58(9) the number of days that Committee of Supply will be called to consider the 2002-2003 interim supply estimates shall be two days.

[Government Motion 9 carried]

Committee Membership Change

10. Mr. Hancock moved:

Be it resolved that the following change to the following committee be approved by the Assembly: on the Select Standing Committee on Private Bills that Rev. Abbott replace Mr. Yankowsky.

[Government Motion 10 carried]

Ethics Commissioner Appointment

11. Mr. Hancock moved:

Be it resolved that the Legislative Assembly concur in the March 5, 2002, report of the Select Standing Committee on Legislative Offices and recommend to the Lieutenant Governor in Council that Robert C. Clark be reappointed as Ethics Commissioner for the province of Alberta for a five-year term commencing April 1, 2002.

[Government Motion 11 carried]

Chief Electoral Officer Appointment

12. Mr. Hancock moved:

Be it resolved that the Legislative Assembly concur in the March 5, 2002, report of the Select Standing Committee on Legislative Offices and recommend to the Lieutenant Governor in Council that Olaf Brian Fjeldheim be reappointed as Chief Electoral Officer for the province of Alberta.

[Government Motion 12 carried]

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

Bill 6 **Student Financial Assistance Act**

THE SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. It's a great pleasure for me to stand today and move second reading of Bill 6.

Bill 6 represents a compilation of two acts, the Students Finance Act and the Student Loan Act.

By way of background, earlier this year the chartered banks in Canada decided to withdraw from the student loan portfolios. Subsequently what has happened is that the government of Alberta and numerous governments across the country have had to go in and set up a direct loan authorization process, and that is what this act is. This act does go further in that it allows for more harmonization with the federal Student Loans Act and, indeed, Mr. Speaker, provides a much better system for the students.

There has been considerable consultation with student groups around the province, including ACTISEC, CAUS, as well as numerous graduate student associations and things like that, and they

are all in favour of that, Mr. Speaker. I will be tabling letters in support of Bill 6 probably when it is in committee.

In essence, what this does is it gives us the authority to give direct loan assistance to the students of Alberta. Again, as I stated, Mr. Speaker, the students of Alberta are very much in favour of this. The Students Finance Board is continued on.

The other point that I will make, Mr. Speaker, is that eventually the Student Loan Act and the Students Finance Act will be repealed. They will not be repealed until those loans that are under those acts have expired. So they still will be acts under the government of Alberta until the loans that have been placed under them are finished.

Again, Mr. Speaker, I don't foresee any problems in this. We have had extensive consultation, and I do believe that it is a very good bill. The students of Alberta believe that it's a very good bill, and I will very soon be tabling correspondence from all the various students' groups around the province in support of this legislation.

I await the debate in the Assembly, and hopefully we can move on to legally give the students of Alberta the right to the student loans that they are receiving and will continue to provide one of the best student loan programs in the country of Canada to our students.

Thank you.

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

DR. MASSEY: Thank you, Mr. Speaker. I'm pleased to have the opportunity to speak at second reading of Bill 6, the Student Financial Assistance Act. My overall view of the bill is one that agrees with the minister. I think it's a bill that should be considered good progress on the way to a sound loans program, and as such, it's welcomed in the Legislature. We, too, have had an opportunity to talk to a number of the students involved, and they are welcoming the bill as just that, as progress.

The essential thing that the bill does is put the loans program firmly back in the control of the government, where the motive, I think, is more of a social motive, one that is concerned with encouraging students, easing the way for students to progress into the postsecondary school system as opposed to the profit motive that seemed to be driving some of the bank dealings with students and one that certainly the students felt quite keenly about. I think students are looking forward to the government re-establishing their control over it.

I think one of the other good things about it is that although there's still the federal and the provincial government involved in the program, there's one-stop shopping for those students now. That's something that, again, is encouraging for students, and I think accessing the loans program is made easier by the changes that are in Bill 6.

One of the concerns – and it's not inherently a problem in Bill 6, although Bill 6 perpetuates it – is the need to distinguish between undergraduate and graduate students. At the current time they're all treated similarly under the loans program, and I think we'll all agree that there are vast differences in the lives of undergraduates and graduates. Graduate students tend to be older. Many of them have established families and are studying while they're taking time away from their occupation. Many of them have their families with them, as opposed to undergraduates who can live in residence. I don't think you'll find many graduate students living in residence. Five or six or eight undergraduates living in a home is commonplace, but you don't see the same groupings of graduates because of their family circumstances. The kind of research tasks that graduate students find themselves involved in and the kind of dedication to their programs is different for them than it is for undergraduates.

3:00

Most importantly, I suspect, at least for the graduates students, is the whole problem of costs. Their costs for the most part are much greater than the costs that undergraduates face. All you have to do is look at renting a two-bedroom or a three-bedroom apartment in this city to house a family while you're studying, and you can see the kinds of financial barriers that immediately arise for a graduate student who is coming from out of city to study here.

So there are huge differences in costs, and the obligations of graduate students, that they have to continue to pay while they're studying, are again costs that I think are much greater than they are for most undergraduates. So I think that in the future with the changes that the government undertakes – and this may be more at the administrative level than it will be at a legislated level – is some recognition of the need to differentiate the kinds of costs that are allowed for under the loans program.

Some of the other assumptions in the loans program I think have been looked at too. One of the big problems for many students is the assumption of parent help and that there will be some contribution to the student's program and that the loan they eventually are able to secure will be dictated in part by their families and the contribution that their families make. The Canada Millennium Scholarship Foundation has done some research on this parental contribution, and they've discovered that about a third of the students under the age of 22 are not receiving assistance from their parents and that a significant number of students aged 22 or more are getting help from their parents.

[Mr. Shariff in the chair]

So the whole business of parental support is really quite problematic. The indication is that summer employment is no longer able to play as significant a part as it used to in terms of meeting student costs. For instance, one in 10 students doesn't work during the summer. They travel; they opt to do other things. Eighteen percent of the students who do work, in this survey that the foundation conducted, earned less than \$2,000 during that summer period, and when you take out their living expenses, it left them very little to contribute towards a program. Thirty percent only earned between \$2,000 and \$4,000, the \$4,000 coming close to covering tuition. So I think that some of the assumptions in the present loans program about students' ability to earn are ones that should be revisited as we move to improve the program.

I suspect that most of the comments I have are, again, about the administration of the current program and the need for changes there. I guess if there's a plea from students, it is that the way in which loans are determined or the amount of money they are allowed to borrow be given careful scrutiny and that there be built into that criteria some mechanism for change that keeps current the costs for accommodation and the other kinds of costs that students face. There's also a need for some consistency in what the loans program will allow them to consider as a cost. For instance, they're allowed to claim fees that are levied for some programs – and most notable was the \$7,000 for the dental program here – but other program fees are not acknowledged by the loans board. It puts an additional burden on students who are unable to borrow the kinds of dollars that they need to actually pay the costs that they face.

I think with that, Mr. Speaker, I'll conclude. As the minister indicated, the students across the province are encouraged by the legislation. They're happy to see it back with the government, and they look forward to working with the government to make sure that it meets the needs of all students.

Thank you.

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

MR. MASON: Thank you very much, Mr. Speaker. Well, it's an honour to stand and speak to Bill 6, the Student Financial Assistance Act, and I as well would like to indicate the support for this bill. Even though it was a reform necessitated by the withdrawal of the banks from the administration of student loans, it is a good step and I think one which students have advocated for many years. I myself in my first real job was working for a student organization. Some may not call that a real job, but I did. We advocated . . .

MR. HUTTON: ETS?

MR. MASON: No, it was before then. It was a long time ago.

We regularly visited this Legislature to put forward the position of students, sometimes in very, very large numbers, Mr. Speaker. One day we came across with 5,000 students to speak with the minister of advanced education at that time about the concerns of students. Many of these concerns have not changed in the 20-odd years since that time, but it is indeed a positive step to get the banks out of the way in what is essentially a government-to-student relationship, which has as its objective making postsecondary education more accessible.

It was always, in my view, sort of mixed up, because it was a loan, and therefore the federal government and the provinces all thought that it might be better delivered through banks because they give loans, and in many respects the features of it as a program to encourage accessibility were lost. I think we're well rid of the banks from this particular program, and the government, I think, will have more accountability, less bureaucracy, less paperwork, and I think it can only benefit not only the government but particularly benefit the students.

I want to take this opportunity as well, Mr. Speaker, to talk about a couple of things about the student assistance system in Alberta that have been bugging me for 20 years or so.

3:10

DR. MASSEY: You haven't paid back your loan?

MR. MASON: No. I did pay back my loan.

One of them is the enforced parental contribution. Under the system we had then and still have today, parents of adult students are required to make a contribution, or at least that contribution is then deemed as part of the student's available income and is deducted from their eligibility for the loan. At least, that's how it was, and I understand from students we visited this summer as part of our youth initiative tour that this has not changed. I think there's something fundamentally unjust about assuming that students who are adults, who are mature, who live on their own, who don't live with their parents, in some way continue a financial dependence upon them and that the government, the state, insists on this relationship before it's willing to provide funding for those students. So that's one thing that I think, Mr. Speaker, ought to be addressed.

The other one – and it's been addressed by the hon. Member for Edmonton-Mill Woods as well – is the assumption that a certain amount of income can automatically be earned in the summer. I do think that students should work if they can in the summer to earn money towards their education and that the bulk of that money ought to be saved and put towards the education. I think that's fair, but we need to take into account the differing circumstances of students and their ability to save money. There are wide swings in the job market for students, and I don't think it's anywhere near as good as it was

when I went to school, Mr. Speaker, where a student could have a summer job virtually at the drop of a hat. It's not necessarily that way today, nor are the relative wages necessarily as high, and of course there are wide variations in the living costs facing students. I still hear from students and did hear from students quite a bit this summer that there needs to be greater flexibility in that respect as well.

I'm pleased to see that there's a continuation of student representation on the board, which was one of the things we achieved back at that time, and I think it's probably been beneficial for all parties in that respect. Mr. Speaker, sometimes it feels that the more things change, the more things stay the same. But I think that we are seeing some positive change in this bill, and I would be pleased to support this bill at second reading.

Thank you.

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

DR. TAFT: Thank you, Mr. Speaker. I, too, will be speaking in favour of this piece of legislation, and given the comments of the others who have preceded me, I will not take the time to go over the same ground to a great extent.

I would like to note a concern that I'm hearing constantly from constituents. The single largest educational institution in the province, the University of Alberta, is in my constituency, and I hear from them directly and indirectly constant concerns about the rapid rise in the cost of tuition.

Tuition increases are sort of the other side of the coin from a bill that makes student loans perhaps easier or more efficient to obtain. By increasing tuition and then providing more loans to cover that tuition, we are in some ways perhaps defeating ourselves. I would suggest that there would be a lot to commend in a system in which we didn't emphasize loans and debt so much as we simply emphasized merit and open access to universities at a lower tuition rate. So there is a connection between loans and tuition that I want to draw the attention of the House to, and we all know that tuition fees have risen rapidly in Alberta in the last several years.

There were reports in the newspaper in the last few days that next year tuition fees at law schools may be something like \$9,000 a year, which is a substantial amount of money. Equal and open access to postsecondary education I think is fundamentally important to our society for a number of reasons. Obviously, the more highly educated a society we have, the more productive it is likely to be, the healthier it is likely to be, the better generally our social conditions will be. So I think we would all agree that a well-educated populace is a desirable outcome, and to the extent that this bill will enable people to attend postsecondary educational institutions more easily, it is to be commended.

I want to draw the attention of the House to a few aspects of a highly-educated population. Yesterday I was in Calgary for the day participating on a panel looking at the social determinants of health. It's not simply that high education is a close determinant of well-being, but it's also the fact that social integrity or the sense of a society holding itself together and making sense, making coherence, and caring for one another also relates to the general health of a population.

As we increase inequalities in societies, we often see health decline, and as we increase equality, we see health improve overall. One of the opportunities for increasing equality within a society is making education widely available, including postsecondary education, to all citizens. So there is an important health component, albeit indirect, to making postsecondary education as widely available as possible.

I also draw the fact of the principle of fairness. We would all agree, I think, that all citizens, at least as babies and as children and as young adults, deserve a reasonably equal opportunity to fulfill their lives. An education funding system that is equally available to all is important, and I am again concerned that as we raise tuition fees, even though there's a loan program in place, we screen students on the basis not just of merit but also on the basis of the wealth of their family. I think that goes against the basic principle of fairness, which dictates that people should be rewarded and should be granted opportunities on the basis of merit, not on family wealth.

Finally, I'd just note the importance of freely available or widely available education for a healthy, functioning democracy, a society in which everybody is well educated and has the opportunity to understand how society operates, the history of the society, the nature of politics and has the opportunity to study and to contribute to that democracy to the highest level possible. This bill will inch us in those directions. I would like to see a complementary approach taken, which would be to not simply make loans more available but actually to see tuition fees reduced.

Thank you.

THE ACTING SPEAKER: Any questions or comments for the hon. member? Anybody else wishing to speak on the bill?

The hon. Minister of Learning to close debate.

DR. OBERG: Thank you very much, Mr. Speaker. I'll keep my responses very brief. This is a very good bill. It's a bill that is needed to continue our student loan practice. For the benefit of the House I won't get into it a lot, but what I will quite simply say is that during my tenure as Minister of Learning the amount of dollars that have gone into student loans and to student financial assistance has gone up 44 percent. It's something that we place an extremely high priority on and will continue to place an extremely high priority on. As the hon. opposition members have stated, this is a very important bill for the students of Alberta.

Thank you.

[Motion carried; Bill 6 read a second time]

Bill 15 Dairy Industry Omnibus Act, 2002

MRS. McCLELLAN: Mr. Speaker, I'm pleased to move second reading of Bill 15.

The bill, the Dairy Industry Omnibus Act, 2002, has been a long time coming. In fact, for several years our department has been working with the Alberta milk producers to create an independent, democratically elected commodity board. It is an industry that wants and deserves control over its own future. I am going to keep my remarks short in moving second reading, Mr. Speaker, because I want to give my colleague from Drayton Valley-Calmar, who has given yeoman's service to the work in developing this legislation, an opportunity to speak to the legislation. I should, though, take a moment to just talk briefly about the value of this industry to our province, because often we take the dairy industry, I think, for granted.

Mr. Speaker, our industry, despite what may be believed, is growing in size and stature. In fact, there are 850 dairy producers in this province. The value of their raw milk alone is at about \$350 million. We have 24 processing plants. They are owned and operated by 18 companies, and the value of their manufactured, processed dairy products last year reached \$1.5 billion.

3:20

AN HON. MEMBER: How much?

MRS. McCLELLAN: That's \$1.5 billion.

Mr. Speaker, I am confident that the self-management of this industry will help it build on its successes and it will find more effective ways to work together to continue to grow.

Again I want to sincerely thank those members of the industry who have provided a great deal of their time and their insight into helping us develop this legislation. I have every confidence that this industry is in a position where the government can step back and let them run the show. We have 16 other commodity groups in this province that have established boards or commissions under this same legislation, and they are very successful. This will allow our producers to govern their industry's milk production, their marketing systems, just as producers in most other provinces do.

Again, my thanks to the Member for Drayton Valley-Calmar for his dedication to the legislation and this industry, and I know that members in the House will look forward to his comments on this bill.

Thank you, Mr. Speaker.

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

REV. ABBOTT: Thank you, Mr. Speaker, and I'd like to thank the hon. minister for that great compliment. I understand that a yeoman is the lowest ranking seaman, working down in the bowels of the ship. Yesterday I found out that I was the third-lowest ranking, but today I find out that I'm the lowest ranking. So thank you very much, I think. I'd also like to say thank you to the staff of Alberta Agriculture, Food and Rural Development. They're up in the gallery watching this today, so thank you very much.

As mentioned by the hon. Minister of Agriculture, Food and Rural Development, the objective of the Dairy Industry Omnibus Act is to shift the governance responsibility for dairy production and marketing away from government and into the hands of dairy producers. This change in governance is a direct result of the industry consultation and recommendations led by my constituency predecessor, MLA Tom Thurber, in the summer of 2000. Following the Thurber report, dairy producers elected producer delegates to help lead the change to self-governance. These delegates then elected the interim Dairy Board and interim Policy Committee. These producers are now leading the process to self-governance, and they have been keeping their industry colleagues informed of their progress.

The province's largest dairy producer association, which represents almost all 850 producers, has been solidly behind this proposed change. Producers envision one umbrella producer organization in the future, one organization that conducts board regulatory functions as well as education, marketing and research, and other activities. Alberta's milk processors have been involved at every step and have representatives on both the interim Dairy Board and interim Policy Committee. Both producers and processors would like to make the regulations less complex. As the new board establishes, they plan to minimize regulatory burdens on producers and processors.

Now, the Dairy Industry Omnibus Act repeals one act and amends two acts. The first major task of this bill is to repeal the Dairy Board Act. This will remove direct government responsibility for the operation of commercial dairy activities such as licences, quotas, milk hauling, and payment systems. Under this part of the omnibus act the producer and processor assessments, previously collected by the government, will be turned over to a new producer board to use in managing the system.

Although this bill dissolves the current Dairy Board, it is anticipated that those government staff needed to perform industry functions will stay with the new organization. As well, I understand

that during the transition, the new organization will maintain the two offices that the industry currently occupies in Edmonton and Wetaskiwin. The office space in Wetaskiwin will be available to the industry until 2004. As part of the transition the records for items such as licences, which the dairy board currently holds, will be transferred to the new organization. This will be accomplished through a specific regulation of the Lieutenant Governor in Council.

Now, the second major item is to amend the Dairy Industry Act to ensure that food safety inspectors have all the necessary powers to safeguard milk and dairy products. In the past food safety inspectors used powers under the Dairy Board Act. Since that act will be repealed, inspectors need in their own legislation the same powers that they use today. So this is simply a transfer of tools from one act to another. Amendments to the Dairy Industry Act will also ensure that milk test results are available to inspectors, the producer board, and the processor. This will actually streamline operations by ensuring that only one test is required to accomplish food safety, milk quality, and milk payment goals. Efficiency, Mr. Speaker; I love it.

It is anticipated that the new producer board will be created by regulation under the Marketing of Agricultural Products Act. Consequently, the third major item is to amend the Marketing of Agricultural Products Act to ensure that the new milk producer board has all the tools that are required to operate the system. While this bill does not actually create a new producer milk board, it does open the way for the industry to form the type of organization that it needs. As the minister mentioned, under the Marketing of Agricultural Products Act a producer plebiscite is required before forming any new producer board. I expect that a plebiscite will be held this spring.

Now, this type of board is not new to Alberta, Mr. Speaker. There are several types of producer boards under the Marketing of Agricultural Products Act that govern their industry similar to those planned by the dairy industry. Most other provinces have producer self-governed dairy industries similar to what Alberta's dairy industry is proposing. A few housekeeping items to both the Dairy Industry Act and the Marketing of Agricultural Products Act are also being considered in these amendments.

Although the Thurber report recommended keeping the industry much the same as it is today through the transition period, this industry needs to continue to grow. We all should be drinking more milk, Mr. Speaker, to keep our bone density up and our health care costs down. Since the goal of the industry and the government team working on this project was to make the transition to self-governance happen without changing the day-to-day operations of the industry, the dairy industry itself will actually notice little direct change when this bill takes effect. Licences, quotas, pickup of milk from farms, delivery of milk to the dairy plants, and the milk payment system will operate virtually the same as it does today. The real change is that the producers themselves will now be responsible for operating the system as opposed to the government.

Now, since the Thurber report both producers and processors have been involved in extensive consultations towards developing the new system. As the minister mentioned, there is widespread support within the industry as a whole for this initiative, and the further advancement of this bill is in the hands of the producers through the aforementioned plebiscite vote this spring.

Mr. Speaker, I encourage all the members to support the Dairy Industry Omnibus Act, a bill which shifts control of commercial dairy industry activities away from government and into the hands of industry stakeholders.

In the words of the Thurber report, it is time to create a new industry organization capable of building on the successes of the

past and ensuring a strong and viable Alberta dairy industry into the future.

I'd like to thank you, Mr. Speaker, and I would gladly entertain any questions that my colleagues or the hon. opposition may have.

3:30

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

MR. MASON: Thank you very much, Mr. Speaker. To the hon. member: I have heard many comments and speeches . . .

THE ACTING SPEAKER: Hon. member, I recognized you to speak to the bill. The first two movers do not have the five-minute option according to Standing Orders.

REV. ABBOTT: I wasn't moving anything.

THE ACTING SPEAKER: The first two speakers do not have the five-minute option under Standing Order 29.

MR. MASON: I'm sorry. Well, Mr. Speaker, I will briefly speak to it, and I will include the question that I was going to ask the hon. member within the context of my remarks, which will otherwise be very brief.

I'd just like to indicate from our point of view our support for the main aspects of this bill, particularly the concept that the producer group should be self-governing. We agree with that. That's worked very well in a number of other areas, and we don't see the need for the government to be appointing all of the people. We're sure that the producers are quite capable of doing that.

Mr. Speaker, the question I was going to ask, though, is that I've heard on the other side of this House many, many comments about the Canadian Wheat Board and how people who grow wheat ought to be able to sell their wheat to whoever they want, including across the border, and that they shouldn't be having some board telling them what to do. My question, then, to the hon. member would have been: what's the difference between milk and wheat as far as the members opposite are concerned?

THE ACTING SPEAKER: Any questions or comments for the hon. Member for Edmonton-Highlands?

REV. ABBOTT: I have a comment. The comment would simply be that it's very different from the Wheat Board because people can still export milk without a quota system, which they cannot do under the Wheat Board. So if you would like to export milk to the United States, you're allowed to do that. This act will not change that. People do it now, and you'll be able to continue to do it after this omnibus act is passed.

THE ACTING SPEAKER: Hon. Member for Edmonton-Gold Bar, are you rising to ask a question?

MR. MacDONALD: No, Mr. Speaker.

THE ACTING SPEAKER: Okay. The chair doesn't see anybody else wanting to ask a question, so we'll recognize the hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. At this time I have a few brief remarks, and I too have questions that I would like to get on the record regarding Bill 15.

The hon. Minister of Agriculture, Food and Rural Development has certainly emphasized the importance of this industry to the entire province. One does not just have to motor through the fine constituency of Drayton Valley-Calmar to see silos, and anytime you see a silo, you're probably going to see in the immediate vicinity a dairy barn. Regardless, this is an industry that is not only in the fine constituency of Drayton Valley-Calmar but across the entire province. There was mention of the significant value-added product that's created. I believe the hon. minister said that it was in the range of \$1.5 billion.

Now, there are 24 processing plants, and they're operated or owned by 18 companies. I'm curious to know how many of those companies are Alberta companies. There was some talk, some discussion – perhaps it was not true. I would certainly like it to be clarified, not only for this member but for all Albertans, as to the ownership of dairy marketing in this province. Certainly the 850 producers are local. Some, of course, will be family farms. But of this industry, how much of it is owned and controlled by Albertans, or is it concentrated in the hands of a few? To have a staple food product such as milk in the hands of a few I don't think is wise, nor is it prudent.

[The Deputy Speaker in the chair]

Other questions that I have are regarding the quota system, or licence system. The hon. Member for Drayton Valley-Calmar in due time probably has an explanation. What mechanisms are there to exchange these licences or quotas? What value is placed on them, and how is that value derived? As the economy expands, what mechanism is in force to increase the number of producers? Now, I'm sure there's a good answer for this, and I would be very anxious to hear it. Certainly, as I understand it, with the quota system for milk it's different than, for instance, another agricultural commodity such as canola. If I could have an explanation for that, Mr. Speaker, I would be very grateful.

At this time I will cede the floor to another hon. member of the Assembly. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Leader of Her Majesty's Loyal Opposition.

DR. NICOL: Thank you, Mr. Speaker. I rise today to speak to Bill 15, the Dairy Industry Omnibus Act. I guess what I can start off by saying is that this is an interesting act. It basically takes what has been a legislated or regulated industry for, well, most of my lifetime. I can remember when my father as a dairyman first got a quota, and I was hardly old enough to understand what quota meant. But basically what has happened is that, you know, this kind of process has grown to where we now have a very heavily controlled industry in the sense that it doesn't exhibit very many of the characteristics that are normally thought of when we talk about competitive commodity production strategies or markets.

If we look at the dairy act that's going to be replaced by this, it basically was set up to make sure that the regulated industry or the controlled industry did have an accountability back to the public. As I look through the act now, I see that basically what we're doing is taking that accountability part out and turning over to the dairy farmers, the dairy processors, the collective industry, a process that will allow them to in effect be self-governing in the context of not having to come back through the Dairy Control Board. I guess the question that comes up in this context is: how does this compare to other commodities? We have a lot of other commodities now that have organized under the Marketing of Agricultural Products Act,

where the dairy industry will have the option to set up. You know, they'll have to have their plebiscite, et cetera.

I guess what we're looking at here is the issue of in a sense turning over to a self-governing body, without a lot of public input and a lot of public participation, the power to control both price and quantity. The end result here is going to be a really interesting process which goes far beyond any of the other commodities that are currently under the Marketing of Agricultural Products Act. None of those groups has the option to control the number of producers, who is a producer, the entry into the production of that commodity. All they have is the power to control promotion and support for that commodity industry.

3:40

So what we're looking at here is a lot of questions that come up in the context of what would be the motivation for the dairy industry now to consider the consumer concerns about price, the consumer concerns about issues that reflect on competition in that market, but also associated agricultural producers who may want to enter into that industry. What we're going to see here is basically the creation of almost like a joint monopoly in the sense that they each produce into the market but don't have any market forces to react to. I guess that in a sense comes into this discussion more as a caution as opposed to "I think this is a bad idea," because the idea that we can reduce regulation, reduce the role of kind of a government overseer is good. But what we need to do is make sure that there still is a degree of responsiveness to the consumer and a relationship with the dairy industry in a way that we have some semblance of market forces working. I know I've talked to a number of people in the dairy industry about this act, and they've said: well, market forces come up when a consumer wants a new product, but the idea of the supply/demand interaction is totally lost when we start dealing with this kind of a process.

It's a number of years back now, before I got involved as an elected official, that I was doing some work in looking at what was the relative effectiveness of the pricing mechanisms in the dairy industry. It was quite interesting in the sense that over the three-year period that I was looking at, none of the producers experienced a negative rate of return on their investment. The more efficient and better producers actually were getting upwards of 30 to 35 percent return on investment. In other words, their investment was paid off in three years. What industry has that?

This is an issue of how do we deal with dynamics in the industry when we're going to turn absolute control over to them without any public participation in the context of the board that controls how they work, and I think it's something that needs to be just put on the record. As I mentioned before, I support moving out under the Marketing of Agricultural Products Act. All I would suggest is that as we do that, there needs to be consumer input into the decision-making process, because they are a special industry. They are not like the other commodity industries that operate under the agricultural products marketing act. Free entry is possible in almost all of these other commodity groups that are administered under the Marketing of Agricultural Products Act.

In this case now we've got a closed system where the opportunity exists for exploitation. You know, this is the kind of thing that works out. We have to look at it from the perspective of how we work this, because the principles of supply and demand are sure not going to be put into this kind of a structure. So we have to make sure that we look at it from the perspective of: are we making sure we have a responsive industry when we end up with it operating under this act? The specifics of how it's going to work are basically not as relevant now as what the end result is, because they're

basically going to operate under the same process of price-setting, quantity-setting as was done before under the dairy control act, but now the public has lost a voice.

I guess, Mr. Speaker, if there's anything that I would suggest on that, that is the concern that has to be put on the record, you know, as we go into dealing with this particular piece of legislation.

Thank you very much.

MRS. McCLELLAN: Mr. Speaker, if I could just make some closing comments. There have been some very good questions and comments made and I think some reasonable support for the principles of this bill. However, as in second reading we are dealing with principles only, it would seem prudent to take all of the questions and comments, which have maybe been a little more far-reaching in some cases, and look at dealing with them all in Committee of the Whole, where we have far more latitude and time. I know that the Member for Drayton Valley-Calmar will be anxious to answer a number of the questions and express his appreciation for the positive comments that have been made regarding this bill.

Thank you.

[Motion carried; Bill 15 read a second time]

Bill 13

Administrative Penalties and Related Matters Statutes Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Yes, Mr. Speaker. On behalf of the Minister of Environment I would be pleased to move for second reading Bill 13, the Administrative Penalties and Related Matters Statutes Amendment Act, 2002.

Bill 13 was initiated as part of an overall effort, Mr. Speaker, to provide a clear and consistent, efficient and effective approach to the delivery of environmental compliance programs in Alberta and specifically the administrative penalty process in both Alberta Environment and Alberta Sustainable Resource Development. Proposed changes which amend parts of the Environmental Protection and Enhancement Act, the Water Act, the Forests Act, the Public Lands Act, and the Mines and Minerals Act will ensure that regulated parties face the same administrative penalty process regardless of which of these laws they've broken.

Mr. Speaker, in the most basic sense these amendments clarify the rules of the game and make the administrative penalty process the same across the five pieces of legislation. For example, if you were issued an administrative penalty under the Environmental Protection and Enhancement Act or the Water Act, you could appeal the decision. However, if you were administered a penalty under the Mines and Minerals Act, the Public Lands Act, or the Forests Act, you have no right of appeal. Bill 13 will establish a process to develop an appeal process under regulation in each of these acts.

Similarly, if you're a director of a corporation or an employer and you direct someone to break the law, under the Environmental Protection and Enhancement Act, the Water Act, or the Mines and Minerals Act you can be held directly responsible for that violation. However, under the Public Lands Act or the Forests Act the same director or employer could not be held liable, even though they are the most responsible for the situation.

Another example, Mr. Speaker, relates to the timeliness of the regulatory process. Right now under the EPEA, the Water Act, or the Forest Act there's a two-year statute of limitation to issue an

administrative penalty. Not so under the Public Lands Act or the Mines and Minerals Act. Under those two pieces of legislation there's no statute of limitation, and penalties can be issued more than two years after the incident occurred. These inconsistencies are not reflective of the government's commitment to timely response.

3:50

The Administrative Penalties and Related Matters Statutes Amendment Act also addresses how fines are calculated, Mr. Speaker. Under the EPEA and the Water Act administrative penalty amounts apply per contravention per day. Under the other acts they are only able to assess a penalty for contravention, meaning that it is more difficult to stop an ongoing contravention and there is simply no incentive to stop.

Mr. Speaker, these are just some of the examples of the types of situations that the Administrative Penalties and Related Matters Statutes Amendment Act is meant to address. These changes will benefit everyone involved in the administrative penalty process: the regulated community, the regulators, both the ministry and the Ministry of Sustainable Resource Development, and all Albertans. Regulated sectors will have the benefit of clearly understanding the administrative process regardless of which act is in effect and which laws are being broken. In addition, they can be sure that when Alberta Environment or Alberta Sustainable Resource Development issues an administrative penalty, it will be done quickly and fairly and there'll be a consistent appeal process. The changes also create efficiencies in government by providing more flexibility when responding to laws being broken, making Albertans confident that government is able to respond fairly, quickly, and efficiently when environmental and natural resource laws are broken.

Consultation on the proposed changes occurred in January of 2001, and over 45 stakeholder groups including industry stakeholders, recreational groups, and municipalities were consulted, Mr. Speaker. I'm pleased to report that there was significant support for the proposed changes.

In closing, I'd like to reinforce that the proposed changes are not new to environmental and natural resource related legislation. They are just simply being made consistently available across all of the legislation. Many sectors in this province, including the oil and gas sector and the agriculture sector, are regulated by more than one of these five pieces of legislation, and they should be able to be treated in the same fashion regardless of which act is applicable. The Administrative Penalties and Related Matters Statutes Amendment Act will ensure that consistency and will provide a harmonized, interdepartmental approach to the use of administrative penalties.

Mr. Speaker, I would like to, again, move second reading and encourage the support of the members of this House for Bill 13.

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

MR. MacDONALD: Thank you very much, Mr. Speaker. I have a few comments at this time in second reading of Bill 13. It is good, it's a positive thing to see that the Minister of Environment is addressing the need for increased and more stringent penalties. One only has to look at the tourism industry in this province to realize how important that's going to be for the future, for the future economy of the entire province, and recognize the need to protect our environment now so that people will see this province and its natural beauty and want to visit. They're certainly not going to want to visit a community or a province that for whatever reason has had lax standards, and as a result of those lax standards – no one is going to want to visit a slagheap.

This is encouraging to see. We've had some spectacular failures,

in my view, in this province. We look at the Swan Hills waste treatment plant and the immediate surrounding environment. We look at – I brought it up in this Assembly before – the unfortunate incident of Hub Oil in Calgary, Mr. Speaker. The list is long. We have increased concern among rural landowners over oil and gas developments and the encroachment of batteries and production stations that are in the immediate vicinity of residences.

So I'm pleased to see this. I note that in the forestry industry I was the recipient of a lot of information through freedom of information, the FOIP Act, and I was astonished. It was sort of pleasing to see and I would like to recognize that the government and the Department of Environment are going about their way as quietly and efficiently as possible with the resources that are available to prosecute and fine individuals and enterprises that are breaking the laws as we know them. For instance, one company had taken a Cat and had pushed gravel into the course of a stream. Environment officials noticed this, and they took it to the attention, certainly, of the individual company, and that company had to pay money. There was an overcutting of timber. That was also dealt with, and the department officials are to be commended.

But how much of this is going on and getting away from them because simply they don't have the resources to deal with the matter I can't say for certain. It is perhaps more important that we at this time recognize that we need a sufficient number of enforcement officers and the funding to support them. It's fine to address the need for increased and more stringent penalties, but there also has to come with that a team to enforce the law.

Now, again, if this is sort of a quiet acceptance of the fact that some of the voluntary compliance that's been attempted in the last eight years has not been as successful as initially thought and we're going to get tough on polluters, people who are perhaps taking a few more timber resources than they should, well, then again I would have to commend the department.

Mr. Speaker, the hon. minister can write all the regulations and come up with as many penalties as he can, but if there is insufficient staff, then the legislation means absolutely nothing, because you have to have enforcement. The companies that are out there have to know that there's a willingness by the authorities to enforce their regulations and their laws.

Now, continued cuts and department reorganizations of one type or another make it difficult to design and carry out long-term plans. We've certainly seen that with the department of health – and that has been recognized by the hon. Member for Edmonton-Riverview – because, you know, that department has had so many changes over the years. Fortunately, Alberta Environment has not been affected as detrimentally, but one can only hope that they don't have the same fate as Alberta Health and Wellness.

This government's reliance on self-reporting is also, Mr. Speaker, of concern. While self-reporting with appropriate penalties for failure to report is an important part of the enforcement process, it does not replace officers and random inspections. Now, I see that the hon. minister in charge of Alberta Human Resources and Employment is recognizing the need to have an increased frequency of random, independent inspections to ensure that occupational health and safety laws and regulations are being abided by.

I would encourage the Minister of Environment and the Minister of Sustainable Resource Development to do that as well, and I'm sure it will be done, because there's nothing like field inspection. There is nothing like it. To encourage the personnel to get out from behind the desks to see what's going on out in the field I think is a good idea, and I would encourage the hon. minister to ensure that it's going to be done.

4:00

Now, Mr. Speaker, the government's increasing pace of resource development means that enforcement is even more important than ever. I think this bill will increase the personal responsibility that directors have for the work done by their companies, and it is good to see that this change is taking place.

In conclusion, I would like to offer to all hon. members of the Assembly the information that I did receive through FOIP. It does show that this hon. minister's department is certainly out and about in our northern forests and they're making sure that the resource companies are abiding by the obligations of those licences.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. leader of the ND opposition.

DR. PANNU: Thank you, Mr. Speaker. I was trying to take a quick run through Bill 13. I would like to make a few observations during the debate on second reading of Bill 13, Administrative Penalties and Related Matters Statutes Amendment Act. As the Minister of Justice in his introductory remarks has drawn to the attention of the House, the main purpose of the bill is to make the administrative penalties, both the mode in which they are realizable and enforceable and the stringency of the penalties as well, I think – insofar as possible these matters should be made consistent across the various statutes which cover the areas of environment, mines and minerals, public lands, and so on.

It outlines some very interesting responsibilities. I'm looking through the bill to find that the section on vicarious responsibility runs throughout the various sections of this bill. Again, I appreciate the minister's observations that the enforcement side of it is addressed in this and the ability of the minister to make sure that these penalties are realized, that they're paid, and for those who fail to pay them, there are consequences. Those things are spelled out more clearly in the bill.

I have a few questions. Maybe the minister can educate me on this. Administrative penalties as distinct from penalties that might result from court decisions – I don't know if they are appealable. On the one hand, I do want to make sure that there is certainly in legislation powers available to the government to make sure that once these penalties are assessed, the offending parties pay those and that the government has the power to compel those parties to pay those penalties on the side of enforcement. We also want to make sure that we respect the principles of rule of law and therefore the opportunity for those who are assessed those penalties to be able to address them, challenge those penalties in a lawful manner. But the notion of administrative penalty is something that I haven't had a chance to pay enough attention to to understand the exact nature of it and whether or not it's appealable.

So one concern that I would have is with respect to whether or not the substance of this bill is fully respectful of the traditions and the principles of rule of law and the ability of those who are subjected to those penalties to seek redress if they come to the conclusion that either the penalty is too high or stringent or else is uncalled for. I'm sure the minister would help me on this, give me a little, I guess, law 101 on this when he has an opportunity to do that. But I certainly see in general that there is good reason that some of these administrative penalty rules and procedures should be made consistent across these various areas so that there is both ease of enforcement and clarity by the citizens of this province as to their understanding, what they are infringing and what kinds of penalties will result across those areas.

With those remarks, Mr. Speaker, I'll sit down and let other members make some comments if they so choose. Thank you.

THE DEPUTY SPEAKER: The hon. Government House Leader to close debate?

[Motion carried; Bill 13 read a second time]

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

[Adjourned debate March 5: Mr. Cenaiko]

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

DR. MASSEY: Thank you, Mr. Speaker. I'm pleased to have this opportunity to make some comments about the principles and the assumptions that underlie Bill 9, the Child Welfare Amendment Act, 2002. I should start by thanking the minister for taking the time to brief me briefly on Bill 9 and to outline the reasons why she thought that this would be a good piece of legislation. I also thank the Government House Leader for arranging the schedule this week so we had an opportunity to meet with some of the stakeholders who have an interest in the bill and were unable to have that meeting until later in the week, so I thank him for accommodating us.

The bill seems to have a number of assumptions and principles that seem worthy of support. The assumption that there is a need in certain cases to apprehend youngsters quickly and that the kinds of legal procedures that they must go through shouldn't unnecessarily impede the process I think is a good one. The minister in our conversation was able to give some good examples of where a worker was with a youngster who was in a situation where there could have been trouble, and the context was one that was not in that youngster's best interests, but the worker was unable to do anything because of the need to contact a judge to get the order that was needed. The worker really had her hands tied and was unable to act in the youngster's best interests. So anything we can do to make sure that that doesn't occur and that children are apprehended when that's deemed necessary by workers I think is a move in the right direction. It's not that part of the bill that I'm going to spend the majority of my time on.

4:10

Before I do move to the principle that I think is most worthy of examination, I would like to make a couple of comments about the out-of-province apprehensions. This, like the first assumption, is that easier apprehension of out-of-province children is in the best interests of those children, and again I believe that's true. Agreements that allow children from Alberta who leave and are found in another province to get back to Alberta quickly and to have it dealt with quickly are in the best interests of the children. Also, the fact that other jurisdictions, other provinces, have or are considering similar changes to legislation I think is a move in the right direction and again an improvement in the system.

The big assumption, of course, and the one that has parents and some professionals very, very concerned is the assumption that appeal panels should operate under direct supervision of the minister. I think for the minister's part there's the belief that by the minister sending direction to those appeal panels, by building fences around their jurisdiction, that makes the process fairer to appellants. On the surface of it that might be true, but I think you have to look at the kinds of grave reservations that parents and professionals have and the root of those reservations.

Of course, the first result of this legislation would be to destroy the independence of appeal panels. The appeal panels at the present time make wide-ranging decisions based on new evidence as it

comes up, and they're very free to make decisions that again are in the best interests of the children. By the minister taking on and setting a policy that circumscribes their operation, the fear is that this will exclude appeals from children when new circumstances arise. This has happened in the past. It's also a fear that those narrowed grounds will make it tougher for parents to seek relief in the court systems.

So there are two real fears, and they're rooted in, I suspect, the difficult lives many of these parents have had in trying to obtain the kinds of resources their youngsters need to grow and to thrive and to develop to the best of their abilities. Often those parents spend many hours and weeks and years of their lives pleading for services, trying to acquaint themselves with every aspect of the law and anything that has to do with their youngsters. Even when they do sometimes get awards, they still have trouble getting the kinds of services that have been awarded to them. For many of these parents it's been an uphill battle, and they view anything that would constrain them or constrain other parents in that search for the best for their children as something that should be avoided. Many of these parents are under considerable stress, and the feeling is that this will just add to that stress and distress for parents who have to go through the appeal process.

One of the fears, of course, is that the kinds of things will happen to the appeal panel that happened to families as a result of the recent budget cuts. The Southern Alberta Community Living Association has, I think, contacted a number of MLAs in the House and left with us their concerns about the impact of the cuts on families. What's happened with the cuts is that they have seen the eligibility criteria narrowed to restrict access, and their worry is that that same manipulation could happen to the appeal panel so that eligibility would be narrowed. When the contracts were reviewed, supports were eliminated or reduced, and the concern again is that an appeal panel might find itself in the same place, having new directions were the minister to deem it appropriate to curtail their activity or the kinds of judgments that they could make.

The cuts in that region resulted in children who had previously been able to access service now being denied funding, and a further impact of the cuts was that many parents were required to start to partially fund the supports that their sons and daughters were receiving. It was deemed that this was done on the perceived ability of them to pay for those services. The respite services, for example, were changed so that the one-size-fits-all model was applied. Where there used to be an individualization of the respite services, there's now just one service regardless of the kinds of circumstances the family finds itself in.

The elimination of some of the programs and again the impact of those cuts on the Children's Services department and how the cuts were carried out with respect to service has parents, at least some of these parents, very, very nervous. I think that nervousness is at the root of some of the fear they have with the change they see in Bill 9 with respect to the appeal boards.

There are some other concerns about the timing of the bill, the Child Welfare Amendment Act, the public consultation just about over if not over at this time – they wonder why it wasn't raised as an issue earlier in order that there could have been more public input into the considered changes – and real concern about the process of the introduction of Bill 9.

The concerns are so grave, Mr. Speaker, that I hope the minister will consider, before we complete work on Bill 9, removing the references in the bill to the appeal panel and leave things as they are. I think there's good evidence from the history of those panels that although some of their judgments have been very, very costly in terms of the resources that were needed, the decisions were the right

decisions in terms of particular children, and anything that would leave those children through the appeal process without the kinds of resources that they need or would cast them into searching other departments, for instance the health department, for similar services I think would be very, very unfortunate. So I'm hoping that before this is over, the minister will see fit to amend the bill to assure Albertans and to assure parents of handicapped children in particular that they will have access to appeal panels that are fair and not in any way unreasonably constrained.

4:20

Mr. Speaker, we will be waiting with interest to see the response of the minister to the concerns that are being raised. I'm sure that her office is getting their fair share of messages from parents, and we have an amendment ready to introduce at the appropriate time should the minister not move to make such a change.

With those comments, Mr. Speaker, again I think the bill has a couple of very, very good improvements of the system. I think that if we could set aside the concerns over appeals or if we could change the appeal process, it would have our support.

Thanks very much.

THE DEPUTY SPEAKER: The hon. leader of the ND opposition.

DR. PANNU: Thank you, Mr. Speaker. I rise to speak on Bill 9, the Child Welfare Amendment Act, 2002, in its second reading. I'll make a few general observations, and I'll express one very serious concern, a concern that represents the difficulties that some of my constituents have experienced in the past. They're worried that with the changes to section 120 being proposed by way of Bill 9, their lives will be more difficult and certainly deprive their children of the very necessary services that they need.

The bill, Mr. Speaker, certainly in part is a response to some of the recommendations made by the Auditor General. It's designed in principle to facilitate the transfer of children who reside in Alberta but are apprehended elsewhere, to bring them back to the province, in other words, and, secondly, to allow justices of the peace, who can currently give apprehension orders only in person, to issue apprehension orders over the phone. These two changes in the existing legislation that are sought by Bill 9 are fine. They address the difficulties that the existing legislation presents and certainly facilitate both the apprehension and the getting of orders for apprehension. What's really at stake here in this piece of legislation is that it will allow, as I said, better apprehension decisions to be made, and we support that. The interjurisdictional co-operation that is sought by way of this legislation is also something that's good.

The related changes to the handicapped children's services appeal panel are the ones that are a matter of grave concern to me. I've had several cases that have come to me through my constituency office at Edmonton-Strathcona where parents needed help in order to seek services for their severely handicapped children, services that those families themselves simply could not have afforded. They had to of course go through this maze of appeals and deal with the different departments: Learning, Health and Wellness, and Children's Services. These three departments get involved when dealing with provision of these services. Only one of these departments, which is the Children's Services department, has an appeal process.

What's tended to happen is that the appeal panel finds that children need Learning- and Health-related services, but the appeal panel puts the financial obligation on Children's Services. Binding appeal decisions to ministerial policy, as is being proposed here, means that children and families who need to access these extremely important and expensive services may lose access to them, espe-

cially services that should flow out of Learning and health services. So the lack of co-operation between Health and Wellness, Learning, and Children's Services is a chronic problem, is a perennial problem. Parents get very frustrated, when seeking the needed services for their children, having to deal with these three departments, which have competing or contrary or contradictory obligations and claims with respect to the provision of those services.

So the changes specifically to the handicapped children's services appeal panel – I've seen at least five parents who have had the chance to read this, and I concur with them that some of these services simply may be discontinued and may not be available to them if this bill passes without amending that section – I think it's on page 6 of the bill – which amends section 120 by adding the following after subsection (6): "In the hearing of appeals under this section, an Appeal Panel is bound by policy established by the Minister concerning agreements under section 106." That causes a great deal of concern to me, because this then makes the appeal process and the appeal panel's decision subject to being overruled by a minister, which has not been the case in the past. The families needing these services have sought and found and received relief, well-deserved relief, because the panel had the power to make decisions which have guaranteed the provision of the services to children who are in extreme need of these services. I would ask the minister to seriously consider dropping that section of this bill.

For the remaining part of the bill I think we will be happy to support the bill in its present form, but we would certainly seek to see the section related to changes in section 120 either dropped from the bill or amended to ensure that the concerns that I have heard from my own constituents and the problems that I had to deal with on their behalf in the past can still be addressed and that the change in the legislation is such that I can still help my constituents with respect to their ability to access the services that their children who are severely handicapped need, services that are extremely expensive and beyond the capacity of any hardworking, normal family in this province to be able to pay for on their own. I would certainly hope that the minister will address this part of the bill and address it in a way that meets the approval of the constituents that I've referred to and satisfies my concerns, and I'm sure they are shared by other members of this House as well.

Thank you, Mr. Speaker, for the opportunity for me to get up.

THE DEPUTY SPEAKER: Any questions or comments, or did you wish to speak?

MR. MacDONALD: I wish to speak.

4:30

THE DEPUTY SPEAKER: Okay. The hon. Member for Edmonton-Gold Bar, if there are no questions.

MR. MacDONALD: Thank you very much. At this time I, too, have some comments that I would like to get on record regarding Bill 9. It is certainly my understanding that there are a lot of contentious issues relating to children's services these days. We saw that earlier in question period, Mr. Speaker.

Specific to this bill I know that the hon. Member for Calgary-Buffalo is busy with the consultation process regarding the Child Welfare Act. It would have been, I think, better for the children, better for the ministry if this bill perhaps were delayed, and we could hear directly from that hon. member just precisely what has been discussed not only in Edmonton and in Calgary but in Lethbridge, Grande Prairie, Fort McMurray, and Medicine Hat, all over the province. That was an extensive consultation process that I think

has just concluded. I'm sure there is paperwork to do and policies to prepare.

Certainly parents seem to be very angry with the direction, and these are parents of children who have developmental disabilities, parents with autistic children. There are many parents who have expressed disappointment or fear at the spirit of this bill, Mr. Speaker. I know parents from across this province who are always trying to do what's best for their child, and sometimes that means moving to a different location to have access to a program or therapy that will improve the ability of the child to learn and to function not only in the family but in the school setting and in the community hopefully at some time in the future.

Now, when we think of programs for children with learning problems, there are many places to go. I learned this firsthand, Mr. Speaker, in the Edmonton-Gold Bar constituency office. Certainly there are moneys available in Children's Services. There's also money available in Learning. There's also money available in Alberta Health. Some of these programs, I acknowledge, are very, very expensive. There could be a range of between \$30,000 and \$50,000. There are some programs that are taught at the University of Alberta that are recognized worldwide. Speech therapy is one, for instance. There are people who are willing to go the extra mile to ensure that these children have a future.

[The Speaker in the chair]

As I understand it, Mr. Speaker, there's \$3.5 million spent this year funding services for 85 children who are technically eligible. Now, granted these programs are expensive, but this Bill 9, the Child Welfare Amendment Act, 2002, will dictate that the appeals process and the appeals panel must follow government policy in assessing cases. This is going to be impossible for the parents. It is going to be impossible in my view.

There are some things that will work, I suppose, Mr. Speaker, and certainly the intention here, as I understand it, is to provide for out-of-province apprehensions of some children, and the apprehension order process should be quicker and less expensive by allowing for less senior legal employees to carry out certain tasks. That, I suppose, a person could live with, but whenever we consider that we're going to make it harder for parents to appeal funding decisions by making the decisions of the appeal panel subject to the policy of the minister – these files that I'm familiar with are difficult. I can only express my frustration, but I cannot imagine how the parents feel, and the parents, as I said before, are willing to move from one area of the province to another to have access to one of these programs. To think that by moving, for instance, an autistic child who is receiving intense therapy, doesn't have verbal skills, has difficulty with any sort of behaviour that we would deem as normal for a child in an elementary school – if we can improve even if it's 85 children across the province with the program, I think we should continue to do so.

Now, if we don't, what consequences will we pay in the future? This money spent now not only will improve the lives and the future of the children, but it will also, Mr. Speaker, certainly improve the lives of the entire family.

There are many people who have expressed concern about Bill 9, and their concerns have been expressed quite eloquently by the Member for Edmonton-Mill Woods. We need, in conclusion, Mr. Speaker, to ensure that parents' legal right to appeal funding decisions will not be denied. We need to ensure that that is done, and I'm sad to say that it is my view that this bill will make it easier for the minister to cut funding to handicapped children, and that disappoints me.

With that, I will conclude my remarks at this time on Bill 9 and cede the floor to another hon. member of this Assembly. Thank you.

[Motion carried; Bill 9 read a second time]

4:40

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

Bill 8

Appropriation (Supplementary Supply) Act, 2002

THE SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you, Mr. Speaker. It's with pleasure that I move third reading of Bill 8, the Appropriation (Supplementary Supply) Act, 2002.

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

DR. MASSEY: Yes, just a couple of comments. It's really a question, Mr. Speaker, that I still haven't received an answer to. I notice that under the supplementary supply there are moneys in Justice and in Solicitor General for increased staff salary settlements, and that seems to me a legitimate reason to ask for supply, but I don't understand, I guess, why there wasn't a similar request from Children's Services to cover the new agreements that were reached after the budget was passed last year. It's just a matter of information more than any concern. The money in Children's Services, \$500,000, was money deemed needed as a result of the teachers' dispute.

Thanks, Mr. Speaker.

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I'm delighted to have the opportunity to speak to Bill 8 at this point and perhaps will attempt to provide some information to the hon. member with respect to the questions he just asked.

The supplementary supply estimates for Justice and for the Solicitor General were essentially provided because there was an inordinate adjustment to salaries in those two departments as a result of us having within the departments – for example, in the Department of Justice judicial clerks and administrative support not only received the 5 and 4 percent in the overall contract, but also there was a need to adjust within the pay grades internally in order to make those particular areas competitive and to deal with the long-standing grievances in the area with respect to the way they were classified. The Solicitor General's department had similar issues with respect to their department, where the wage settlements with AUPE had an inordinate effect in those two departments which wasn't necessarily shared in other departments of government because of the type of and classification of workers that we had.

So that was the need for us, and we didn't have the ability, didn't have the flexibility within either the Solicitor General or the Justice budgets to deal with the extent of the wage pressure as a result of the settlement because we had already been dealing with other issues. As the member might recall, last fall there was a supplementary estimate, for example, of \$6.5 million to deal with issues, again mainly wage issues but also new positions for Crown prosecutors.

All departments of government were affected by the 5 percent settlement with AUPE this year. I think all departments had budgeted a small amount for that and were able to meet the wage settlement within their budgets for the additional amount that hadn't been budgeted by making a provision for it in other ways, but Justice

and the Solicitor General, because of the significant adjustments in areas like judicial clerks and admin support in our departments, were not able to manage and therefore needed the supplementary estimate.

[Motion carried; Bill 8 read a third time]

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. We've made good progress this afternoon on the agenda that we had scheduled, and although it's early, I know that the weather is bad and members would like to get on the road home. Therefore, I would move that we adjourn until 1:30 p.m. on Monday.

[Motion carried; at 4:44 p.m. the Assembly adjourned to Monday at 1:30 p.m.]

