

Legislative Assembly of Alberta

Title: **Monday, May 6, 2002**

1:30 p.m.

Date: 02/05/06

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon and welcome.

Let us pray. At the beginning of this week we ask You, Father, to renew and strengthen in us the awareness of our duty and privilege as members of this Legislature. We ask You also in Your divine providence to bless and protect the Assembly and the province we are elected to serve. Amen.

Hon. members, would you please remain standing now for the singing of our national anthem. I'll ask Mr. Paul Lorieau to lead us.

HON. MEMBERS:

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

THE SPEAKER: Please be seated.

head: **Introduction of Visitors**

MR. MASKELL: Mr. Speaker, it's my great pleasure to introduce to you and through you to the members of the Legislature Mr. Arthur Hiller, a gentleman that I consider a good friend, and he is one of the world's great movie directors. Arthur was born in Edmonton in 1923. Along with Leslie Nielsen, a classmate, he attended Alex Taylor, McCauley, and then graduated from Victoria school. He served for Canada in the Second World War and returned home to study law and psychology at the U of A, UBC, and the University of Toronto. In 1955 NBC invited Arthur to join the Hollywood directing team for the daily drama *Matinee Theater*. This led to a great deal of episodic television, including *Gunsmoke* and *Alfred Hitchcock Presents*. He's directed over 30 feature films. *The Americanization of Emily* in 1964, a film about the glorification of war, is the one he prizes the most. In addition to his distinguished directing career, he has served as president of the Academy of Motion Pictures, Arts and Sciences and as president of the Directors Guild of America, and he's still busy in the business.

On March 24 the Academy of Motion Pictures, Arts and Sciences presented Mr. Hiller with the Jean Hersholt humanitarian award during the Oscar ceremonies. He lost his sister Goldie this last year and is in Edmonton for the unveiling of her memorial, which was yesterday. He is being honoured in Toronto on May 28 on the Walk of Fame. While he's here in Edmonton, of course, he's honorary chair of the Victoria School Foundation for the Arts and has presented master classes. Accompanying Arthur is Lindsay Cheney, who was an EA in this Legislature and Alberta film commissioner. Would you both please rise and receive the warm welcome of this Legislature.

THE SPEAKER: I just have to say this. If Mr. Hiller is looking for raw, untested talent, there are 82 beneath him right today.

The hon. Minister of Environment.

DR. TAYLOR: Mr. Speaker, thank you for that word of testimony before I stood up.

Well, I'm very pleased, Mr. Speaker, to introduce to you and through you to the members of the Assembly Mr. Batsukh, the ambassador of Mongolia. He is accompanied by Mr. Badarch, the first secretary and consul of Mongolia. I had the pleasure of meeting the ambassador in Ottawa some time ago at a private function, and I had the pleasure again of having lunch with him today. There are a lot of similarities in the development in their country with what we're doing in Alberta, particularly as it comes to the reclamation of land sites and the development of new industry in Mongolia. We have several companies working in Mongolia's capital city, Ulan Bator, and I actually have friends that live there, so it was with great pleasure that I enjoyed our lunch with them today. I urge them to rise and receive the warm welcome of this House.

Thank you.

head: **Introduction of Guests**

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

MR. HANCOCK: Thank you, Mr. Speaker. It's my pleasure this afternoon to introduce to you and through you to the members of this Assembly employees from Alberta Justice, criminal prosecutions division. These individuals are here on the public service orientation tour, which is being promoted and carried out by the Legislative Assembly Office and your good office. All of these individuals help to protect Albertans on a day-to-day basis and help to make our communities a safer place. I'd like them to rise as I introduce them, and I'd like the House, if they would, to give them the traditional warm welcome and thanks for the good work that they do. With us today are Ms Debora Collins, Mrs. Gina Lothian, Miss Toni Hryciuk, Mrs. Cindy Frewin, Mrs. Nell Lank, Ms Janet Hughes, Mrs. Karen Colwell, Mr. Peter Teasdale, and Mr. Neil Wiberg. I would ask the House to give them our thanks and a warm welcome.

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

MR. VANDERBURG: Thank you, Mr. Speaker. On your behalf I'd like to introduce to you and through you 23 grade 10 students from the Covenant Canadian Reformed school in Neerlandia, which is located in the Barrhead-Westlock constituency. They are accompanied by their teacher Henry Stel; Grace Van Dasselaar and Suzanne Aikema, the teacher's aides; and parent helpers Rev. Slomp, Miss Otten, and Mrs. Van Grootheest. Danke vell. I'd ask them to rise and receive the warm welcome of this Assembly.

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

MR. DUNFORD: Well, thank you, Mr. Speaker. We also have in the members' gallery today some representatives of the Ministry of Human Resources and Employment. Of course, they're here on the public service orientation tour, but again I want to publicly thank them for all of their efforts as we've moved forward with what has become now the people and workplace department. As I mention each of their names, I would ask them to rise, and then we'll welcome them at the end. We have Elaine Highet, Georgette Thomas, Erma Cardinal, Jolynn Lucas, Linda Olson, Tina DiCesare, Kerri Hill, Susan Rothery, and Susan Robey. Ladies and gentlemen, if you would join me in welcoming our guests to the Assembly.

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

MR. SNELGROVE: Thank you, Mr. Speaker. I have two introductions today. The first one is a group of students from the Marwayne Jubilee school. Marwayne celebrated its 75th anniversary last year, and with this young group of students the next 75 years certainly look good too. They are accompanied today by their teacher Mr. Dave Schmitt and parent helpers Jeannine Kent, Lana Centazzo, Cam Zarowny, Emil Bystrom, Karen Nohnychuk, and Karen Lapointe. They're in the public gallery, and I'd ask them to rise and receive the warm welcome of the Assembly.

1:40

Mr. Speaker, I'd also like to introduce to you and through you to all members of the Assembly Mr. Colin Briggs. Mr. Briggs is a former Albertan who now lives in Vancouver. He is here today on a short visit not only to renew his roots in his home province but to see firsthand the benefits of prudent fiscal responsibility, which we all hope will soon be experienced in his current home, the province of British Columbia. He is accompanied today by Ms Kristiena Koppe. I would ask both Colin and Kristiena to stand and accept the warm welcome of this Assembly.

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

MRS. O'NEILL: Thank you, Mr. Speaker. It's my honour to introduce to you and through you to members of this Assembly 21 grade 6 students from Keenoshayo elementary school in St. Albert. They are here for the School at the Legislature, the weeklong program, which is a great testimony to the interests of their teacher and the parent helpers. They are in the members' gallery, and they are accompanied by their teacher Mrs. Barb Hubbard and by assistants Mrs. Wendy Macrae, Mrs. Marina Proserpi-Porta, and Mrs. Allison Hermanns. I would ask them to please rise and receive the traditional warm welcome of the Assembly.

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

MS BLAKEMAN: Thank you very much, Mr. Speaker. I'm very pleased today to introduce to you and through you to all members of the Assembly two young women who are working in my office. The first, Crystal Willie, started volunteering for me in the fall doing research and has been working for me doing sessional support. She's off to work for Alberta Museums this summer.

The second woman is Kim Lew. Kim has a background in web design and technical writing, and she's joining the office for the constituency of Edmonton-Centre for the summer.

So I would ask them to please rise and receive the warm welcome of the Assembly.

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

MR. MASON: Thank you very much, Mr. Speaker. I'm pleased to rise today and introduce to you and through you a group of students from Faith Lutheran school in the constituency of Edmonton-Highlands. They've toured the Legislature Building and are now in the gallery to observe today's proceedings. They are accompanied by their teacher Brad Teske as well as Mrs. Debra Miller, Mr. Gary Gordichuk, Mrs. Cathy Pearson, Mr. Michael Ulmer, and Mr. Tony Oostenbrink. I would ask them to rise now and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Minister of Sustainable Resource Development.

MR. CARDINAL: Thank you very much, Mr. Speaker. I would like

to introduce to you and through you to the members of the Assembly Kristen Stevens. Kristen will be working in my office throughout the summer. She is seated in the members' gallery, and I would like her to rise now and receive the traditional warm welcome of the Assembly.

head: **Oral Question Period**

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

Electricity Deregulation

DR. NICOL: Thank you, Mr. Speaker. Over the last few years Alberta has gone from the 24th lowest priced electricity jurisdiction in the 150-plus jurisdictions in North America to something above the average in that now. It depends on which month or hour we basically calculate our prices on. We've moved from a public utility with prices totally based on costs to a private monopoly with prices based on speculation, uncertainty, and add-on charges. My questions are to the Premier. Mr. Premier, is it not true that we used to have a system where no taxpayer subsidy was provided to the electricity market, where now we're constantly providing subsidies? We're basically dealing with add-ons, location credits, and subsidies through the Power Pool.

MR. KLEIN: Mr. Speaker, the hon. leader of the Liberal opposition asked a very interesting question, and the answer is yes. I can recall the days when the south heavily subsidized the north, and the government was heavily involved in making sure that southern consumers, where the hon. leader of the Liberal opposition comes from, were paying and complaining bitterly that they had to pay to subsidize northern development.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. But we weren't dealing with a private versus a public utility.

My question again to the Premier: is it not true that we still are transferring taxpayer dollars to the electricity industry? That previous system was a transfer of dollars inside the region under a public utility.

MR. KLEIN: Mr. Speaker, we were indeed dealing with private and public facilities. Edmonton Power, now known as EPCOR, was a city-owned facility, guarded and protected by the hon. Member for Edmonton-Highlands in true socialist fashion. I remember Calgary Power. My gosh, when I was the mayor of the city of Calgary, even to bring up the notion that there should be some competition got the administration so riled up: "Oh, no way. This is our baby. We can get a guaranteed 10 percent rate of return. This is our cash cow." Now there is competition, and yes, we have private-sector companies operating and competing against those state-owned facilities, companies like Calgary Power and Alberta Power.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. The Premier talks about basically moving away from what was a public utility to what in effect is a private monopoly. Is it not true we're basically turning into a private-sector monopoly in our electricity with the combining of all of these different joint agreements that are undertaken and the deal with EPCOR and Enmax basically being the two marketers?

MR. KLEIN: Well, Mr. Speaker, the only difference I see is that first of all we have EPCOR, no longer a state-controlled, socialist organization. We have Enmax, still owned by the city of Calgary but a great debate going on in that city as to whether Enmax should be sold and made competitive in the overall electricity marketing scheme. Of course, we have Medicine Hat, which is a city-owned corporation but does a wonderful job of providing gas and generating its own electricity. Of course, we have TransAlta Utilities and we have ATCO utilities. So I think that there is a wonderful mix of power companies able to provide competition and to provide choice.

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

DR. NICOL: Thank you, Mr. Speaker. Can the Premier tell us how he's going to encourage competition when most of the new generating plants that are being talked about now are being joint ventured between existing generators?

MR. KLEIN: Mr. Speaker, I think that if the hon. Leader of the Official Opposition would really put his mind to this issue, you would find that these companies are doing the commonsense thing. They're trying to achieve economy of scale, and at the end, when they can bring on lower cost power, when the capital costs are lower, it stands to reason that the cost of electricity that will be generated by those plants will be lower priced.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. To the Premier again: Mr. Premier, wasn't it this government's intention to effectively encourage competition, not joint ventures where they make joint decisions about how they price, how they provide supply, how they deal with the marketplace? What kind of competition is that?

MR. KLEIN: Mr. Speaker, if it makes sense in the business world to merge and to joint venture and it is a good business decision, then it will be done. We find this throughout the world relative to competing businesses. We perhaps find it in the movie industry as well. I notice that in the credits before a motion picture comes on the screen, you see numerous companies involved in the production of a motion picture. Joint ventures and partnerships are nothing new. They're done to achieve cost efficiencies, which in turn are passed on to the customer.

DR. NICOL: Not when you deal with marginal cost pricing, Mr. Speaker.

To the Premier: will you commit to a series of public hearings across the province with Albertans who are flicking the power switch to get their input on their acceptance of electricity deregulation?

1:50

MR. KLEIN: Mr. Speaker, first of all, we are now in a deregulated environment. We have been since January of 2001.

Mr. Speaker, the hon. leader of the Liberal opposition talks about more public consultation. I'd remind the hon. leader that public consultation took place since 1995 on this whole issue of electricity deregulation, as to whether the policy should be changed. On the basis of that consultation, on the basis of the best advice given to us by financial analysts and others, we decided to go into a deregulated market. The public consultation has been done; it's been done in spades.

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

Holy Cross Hospital

DR. TAFT: Thank you, Mr. Speaker. In January 1996 a major independent appraisal of the market value of parcels C, D, and E of the Holy Cross hospital in Calgary placed their potential sale value at up to \$20.6 million. A letter from Calgary health region's CEO to Alberta Health in October '96 pegged the value of the land alone at \$8.4 million. A report conducted the following year estimated the value of the land, assuming no use for the buildings, at 4 and a half million dollars to \$9 million. My questions are to the Premier, who has some of this documentation now. Given that provincial policy on the sale of property owned by health authorities states that fair market value should be obtained and given that purchasers clearly valued the buildings as well as the land, can the Premier explain why the land and buildings sold for only \$4.57 million?

MR. KLEIN: Mr. Speaker, first of all, there was an independent evaluation by a group of citizens who made recommendation that this sale was reasonable and was viable. I can tell you that had that property sold and had it been the intention of the successful purchasers to simply tear it all down and build condominiums, then I would say that the retail value of that property would be in accordance with what the hon. member points out. The simple fact is that it was to retain use as a medical complex. To my knowledge there are, I think, well over a dozen different medical activities now taking place at that particular centre.

THE SPEAKER: The hon. member.

DR. TAFT: Thanks. It sounds like a subsidy to the medical business.

Given that various assessments placed the value at \$8.4 million to over \$20 million, why was the property listed at only \$4.9 million?

MR. KLEIN: Mr. Speaker, I don't have the document in front of me, but I suspect that because the use of the land was restricted probably, and that was the value of the land relative to its restricted use.

Mr. Speaker, an interesting preamble to the question. The hon. member alluded to subsidies to medicine. I would remind the hon. member that this government, the people of this province spend over \$6 billion a year on medicine. That is indeed a subsidy.

DR. TAFT: A subsidy to the medical business.

Given that a commercial real estate agent handled the pending sale of the Charles Camsell hospital in Edmonton, can the Premier give us any idea why there is no sign that such an agent was used in the sale of the Holy Cross?

MR. KLEIN: No, I can't, Mr. Speaker, but I'll have the hon. Minister of Health and Wellness respond. Maybe he can shed some light on this.

Again going back to the second preamble or the preamble to the hon. member's third question: a subsidy to the business of medicine or something to that effect, Mr. Speaker. Well, there are about 4,500 doctors operating in this province, and most of them operate on a fee-for-service basis. I don't know what the percentage is. I think it's about 87 percent that is a full subsidy by the people of this province to the operation of those doctors' clinics, which in effect are private businesses.

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

Kosohkewew Child Wellness Society

DR. PANNU: Thank you, Mr. Speaker. Earlier today the Minister of Children's Services announced that a co-management agreement had been struck to restore authority for child welfare to the Samson Cree First Nation. While I welcome this agreement, it begs the question of why the minister failed to act earlier to address problems with child protection on this First Nations community. The questions are to the minister. Why did the minister fail to prevent the tragic deaths of children from the Samson Cree First Nation by providing appropriate support to their child wellness society and instead engage in a knee-jerk reaction of attempting a takeover of the services after the fact?

MS EVANS: Mr. Speaker, if I understand the question, it asks why previously we were not engaged in active child welfare delivery. It comes back to the delegation for some First Nations to deliver child welfare on their own First Nation with federal funding. The part that we have been sorting out is the influence of provincial standards and of quality assurance. Now, while we're moving to the Alberta response model, which will see a lot of child welfare delivery at the front end – in other words, building community capacity instead of simply taking children into protection – we look forward to a partnership which this memorandum signed today provides, and that is partnering with Kasohkewew in child welfare delivery to make sure that we review the files, to make sure that we deliver as positive and safe and secure an environment for children as possible. So I see what we've done today and our discussions with Kasohkewew as positive things.

THE SPEAKER: The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. Will the minister agree that revoking the contract of the child wellness society of Samson Cree First Nation was not a constructive solution to the problems facing children on this First Nation, and if not, why not?

MS EVANS: Well, Mr. Speaker, the hon. member and my critic from Her Majesty's Loyal Opposition were both there today, and I tried to start my preamble in a very clear way by stating that there have been two options in delivering care on the reserves: one through the child and family services authorities or, secondly, where First Nations were able to do that and felt confident in their capacity to deliver and we felt confident as well, they were able to take delegated authority. So it didn't leave a lot of options in between.

Today what I think this Assembly can know is that we have defined a new option which we will try and work our best in all the delegated authorities, and that is an agreement that the province can come on-site, do a thorough review of the quality and standards, the files, and make sure that we can assure the Alberta people that we're delivering child welfare in a very positive way.

Further, Mr. Speaker, today I agreed with the Kasohkewew wellness society that we would work hard with them, in partnership with them, to address things which they believe have been serious funding issues, the manner in which they receive federal funds on reserve. In that capacity, I think it's been a win/win today because we're working together in that capacity as well, something that is a federal responsibility but in this case with provincial support, particularly where they require it.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. In addition to getting the federal government to pony up more resources, what additional actions is the minister taking to make sure that the children on First Nations are guaranteed full protection so that tragic situations like this one don't occur again?

MS EVANS: Well, I thank the hon. member for his question. While we can never guarantee, one of the things that will happen this afternoon is that with a very respected member of the Hearthstone child and family services authority, as agreed to by Kasohkewew, we will be in there with a team that will start evaluating the administrative review files, the issues surrounding child care protection, the issues surrounding foster care and foster delivery services, and finally, Mr. Speaker, some of the issues that relate to practice issues that may have been a concern. We have had concerns, it's true, but today a team will go in there and be in support as well as evaluating provincial standards. I spoke afterwards with the chief, and the chief is very satisfied that this is a new framework for doing business with Kasohkewew which may yield very positive results.

2:00

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

Provincial Credit Rating

MR. MAGNUS: Thank you, Mr. Speaker. Last Friday Moody's Investors Service changed the rating on Alberta's foreign currency debt. My question to the Minister of Finance: can the minister tell us what impact this will have on Alberta's reputation for fiscal management?

MRS. NELSON: Well, Mr. Speaker, the hon. member is quite right in stating that Moody's has changed Alberta's credit rating. In fact, Moody's last week upgraded Alberta's foreign debt rating from a double A1 to a triple A rating. As many members of this House will know, Moody's is one of the most prestigious bond-rating services in the world. The triple A rating is the highest ranking awarded to borrowers. This did not happen overnight. This happened because of the strong reputation over the last 10 years that this government has built on strong fiscal management within this province.

THE SPEAKER: The hon. member.

MR. MAGNUS: Thank you, Mr. Speaker. My first supplemental to the same minister: could the minister tell the House why this international agency has chosen to upgrade Alberta's rating now?

MRS. NELSON: Well, Mr. Speaker, when an organization such as Moody's looks at credit ratings of countries and provinces, it looks at very key indicators of long-term stability and economic strength as well as the public-sector finances at the federal and provincial levels. More than a year ago Moody's upgraded Alberta's rating on the domestic debt to a triple A because of our fiscal leadership in Canada, and I might want to remind the members in this House and Albertans that Alberta is the only province – the only province – in all of Canada and the only government in Canada to have the triple crown on bond ratings and the only one to have both triple A ratings from this rating agency.

THE SPEAKER: The hon. member.

MR. MAGNUS: Thank you, Mr. speaker. My final supplemental to the same minister: can the minister tell us what impact this rating change will have on Albertans?

MRS. NELSON: Well, Mr. Speaker, this is an extremely positive ranking and rating for Alberta. What this means is it sends a very strong vote of confidence, not only throughout Canada but internationally, as Alberta being the place to invest, the place to come, the place to set up businesses, the place to set up their family homes, because Alberta has the most stable environment that you can find in all of Canada right in our own backyard. So this is a very major plus for this province for not only economic development but for long-term stability. This is a very great plus for this province.

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

Electricity Billing

MR. MacDONALD: Thank you, Mr. Speaker. It's the government that set the rules for electricity billing practices in this province, not EPCOR and other electricity retailers. In fact, in 1999 the Alberta Department of Energy facilitated the formation of the settlement systems code to calculate electricity bills. This code describes a general accounting process that is applied to all energy entering and consumed in a particular area. Quite early in 2001 it became evident that the settlement systems code was not working as well as expected and that improvements were required. My first question is to the Premier. Why is the government blaming EPCOR and other retailers for the electricity billing problems that are going on in all areas of the province when it is this government that developed the faulty system that is causing so much of this frustration and grief that was expressed last week in question period by members from the Premier's own government?

Thank you.

MR. KLEIN: Mr. Speaker, it seems to me – and I don't recall completely the questions that were asked – if my memory serves me correctly, that those questions alluded to service charges attached to electricity bills. I understand that the hon. Minister of Energy has written to both EPCOR and UtiliCorp, I believe, to inquire about this, and indeed the hon. Minister of Government Services has this matter under review. It doesn't deal with electricity rates per se but service charges that are attached to those rates.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the Premier: given that in May of last year, a year ago, Alberta Energy facilitated the formation of the business issues group, called BIG, who contracted the consultant Cap Gemini Ernst and Young to develop a plan with recommendations that would include a plan to enable retailers in the Power Pool to bill more accurately, when will this plan be released to the consumers who are dealing with such large increases in their bills? When will this plan be made public?

Thank you.

MR. KLEIN: Mr. Speaker, since the hon. minister is not with us today, I'll take that question under advisement.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you. Again to the Premier, Mr. Speaker: given that the system settlement code is silent on the relationship between retailers and their customers – and one thing with electricity deregulation is that the customers have been left out and now they're paying the expensive bills – why is this allowed to happen? Why are

customers being treated so unfairly with the system settlement code? Thank you.

MR. KLEIN: Well, Mr. Speaker, again I don't know that statement to be true, but when the hon. minister returns to this Legislature, I'll have him answer that question. In the meantime, I'll take it under advisement.

THE SPEAKER: The hon. Member for Edmonton-Rutherford, followed by the hon. Member for Edmonton-Glenarry.

Mazankowski Report

MR. McCLELLAND: Thank you, Mr. Speaker. Friends of Medicare, backed by the Alberta Federation of Labour, is spearheading a misinformation campaign aimed at derailing the implementation of the Mazankowski report. My question to the minister of health: what is the government doing to ensure that this important work is not misrepresented by those who pretend to be the friends of medicare?

MR. MAR: Mr. Speaker, we've done much. We've delivered over 10,000 copies of the Premier's Advisory Council on Health report to various stakeholders throughout the province. We've had 10,000 downloads on the Internet for the Alberta: Health First document, and many people would be familiar with the public advertising campaign on that. Over 140,000 copies of the Premier's advisory council's report have been downloaded off the Internet. Mr. Mazankowski himself, of course, is making great efforts to reach many different audiences. He has appeared, to the best of my recollection, before Senator Kirby's Senate committee. I know firsthand that he also made a presentation to Mr. Romanow's committee last Tuesday, as did I. Mr. Mazankowski has also sought a wider audience throughout this province, as has this Minister of Health and Wellness, traveled to many different places, spoken with chambers of commerce, spoken to service organizations. People do want to know what in fact is the truth about health care reform in this province, and when they do hear it, they are very encouraged indeed.

THE SPEAKER: The hon. member.

MR. McCLELLAND: Thank you, Mr. Speaker. My supplemental to the same minister: are public-sector unions not in a conflict when they finance advertising campaigns aimed at protecting union jobs by financing third-party advertising? Why don't they buy the advertising directly?

MR. MAR: Well, Mr. Speaker, let me say this from my perspective as Minister of Health and Wellness: if that's how a union chooses to use its membership's moneys, then they're perfectly entitled to do so. However, it may come as a surprise to many members of the membership that their moneys in fact are being used in this campaign. But if this is how unions choose to use their membership money, so be it.

THE SPEAKER: The hon. member.

MR. McCLELLAND: Thank you, Mr. Speaker. My final supplemental to the same minister is this: are public/private partnerships delivering publicly funded health care in contravention of the Canada Health Act?

MR. MAR: Well, Mr. Speaker, the Canada Health Act has been

subjected to many different interpretations, but I've not heard any interpretation that suggests that a private/public partnership for delivery of public services – it is not in contravention of the Canada Health Act under any interpretation that I've heard.

2:10

I should say, Mr. Speaker, that it is in fact a reality within the public health care systems across this country that private/public partnerships are often used as a means of delivering services in an effective, in an efficient way, and this is something that we want to encourage. But it will be within the spirit of the original Canada Health Act; it will be within its letter. We are the only province, that I am aware of, that has in fact enshrined the principles of the Canada Health Act within our own provincial legislation. It is our intention that whatever reforms go forward in accordance with our responses to the Mazankowski report, the 44 recommendations that we are moving forward on, it is our intention to remain within the letter and the principle of the Canada Health Act.

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

Engineered Teleposts

MR. BONNER: Thank you, Mr. Speaker. Last week the Minister of Municipal Affairs told the Assembly that he would be speaking to the Safety Codes Council regarding concerns with engineered teleposts. However, on April 17 the Safety Codes Council indicated in a letter that they are taking no further action on the concerns that have been raised. My questions are to the Minister of Municipal Affairs. Who has the final say in this issue, the minister or the Safety Codes Council?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you, Mr. Speaker. In fact, the Safety Codes Council acts at the pleasure of the minister, but what I would like to do is elaborate on the good question the hon. member has brought to this House, and it is this. We've been in association with APEGGA. That's the professional engineering group. They are forwarding to the Safety Codes Council a letter indicating the safety and the safe practices that are in existence and that do not provide any type of jeopardy to homeowners.

MR. BONNER: To the same minister, Mr. Speaker. The minister indicated that he was reviewing the situation, but the Safety Codes Council says that Municipal Affairs has already dealt with the situation. What is the real status of this investigation?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you, Mr. Speaker. Again the hon. member raises a good question from this perspective. I've asked the Safety Codes Council to provide back to me concrete evidence of what the professional engineering group is doing relative to the question that was asked in this House, and I'm very pleased to say that in the next couple of days I will be tabling that letter to the benefit of all members of this Assembly relative to public safety for homeowners and all Albertans.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the same minister. On May 1 the minister said that he was considering issuing a public

safety advisory. Is this still under consideration, or is the case closed?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you. Again to the hon. member and to the members of the Assembly, I want to assure all Albertans that the safety of a person's home is utmost and foremost for this government and a priority of this government. There is no need for a media advisory relative to that because of the tabling of the letter from the professional engineers, that is going to be publicly tabled in this House.

THE SPEAKER: The hon. Member for Red Deer-North, followed by the hon. Member for Edmonton-Mill Woods.

Red Deer River Water Level

MRS. JABLONSKI: Thank you, Mr. Speaker. Recently members of the Red Deer Chamber of Commerce met with both Red Deer MLAs to discuss their concerns about water levels in the Red Deer River and its direct effect on the future development of industry in central Alberta. I understand that there is an agreement between the government of Alberta and the government of Saskatchewan that requires that 50 percent of the water in the South Saskatchewan River system be allowed to flow into the province of Saskatchewan. When the water levels are low in the Oldman and Bow rivers, in order to meet the 50 percent quota, the Red Deer River is required to provide 75 percent of its flow to Saskatchewan. This is a disproportionate drain on the Red Deer River system and will eventually weaken future development in the central Alberta area. My question is for the Minister of Environment. The water agreement between Alberta and Saskatchewan requires 50 percent of the water in the South Saskatchewan River system to flow to Saskatchewan. Why do we not ensure that each of the rivers in the system contributes 50 percent equally? Why is the Red Deer River system required to contribute 75 percent of its flow?

THE SPEAKER: The hon. minister.

DR. TAYLOR: Well, thank you, Mr. Speaker. I think what I want to emphasize first of all is that the 50 percent flow refers to all river basins. The South Saskatchewan River basin is made up of a number of different rivers, the Red Deer being one, and there are about six other rivers that make up that river basin, some of those rivers allocated at close to 100 percent in terms of their allocations. We have a problem in sometimes meeting the 50 percent, which we will meet, so what we do is we move the allocations around from basin to basin or from river to river within the South Saskatchewan River basin to meet the 50 percent allocation. I can tell you that last year the Red Deer River provided 35 percent of the total allocation to Saskatchewan from the South Saskatchewan River basin, and 65 percent was essentially supplied by the Oldman and Bow river basins.

THE SPEAKER: The hon. member.

MRS. JABLONSKI: Thank you, Mr. Speaker. How will the minister ensure that the Red Deer River will be required to provide only 50 percent of its water?

DR. TAYLOR: Well, as I said, Mr. Speaker, we must maintain stream flows that are ecologically healthy. One of the measures that

we use for that is the 50 percent of the natural flow. So we try to prevent any river from going to less than 50 percent of the natural flow, because not only do we have a requirement to provide Saskatchewan with the water, a requirement to provide Albertans with the water, but we also have a requirement to maintain the ecological balance or healthy aquatic environment.

THE SPEAKER: The hon. member.

MRS. JABLONSKI: Thank you. Could the minister please state the purpose of the South Saskatchewan River basin study, and when will it be released to the public?

THE SPEAKER: The hon. minister.

DR. TAYLOR: Yes, Mr. Speaker. What we're trying to do with river basins is have a group of individuals that are using the river basins – you know, the municipalities, the agricultural producers, the industries, the public – meet and develop a utilization philosophy for the river basin, and we do have that study completed. It's called the South Saskatchewan River basin study, and we're expecting to release that in very short order. I would suggest that we'll release that within the next month, I hope.

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

Kasohkewew Child Wellness Society (continued)

DR. MASSEY: Thank you, Mr. Speaker. The agreement signed today by the Minister of Children's Services and the Kasohkewew children's authority is an admission of government failure, a failure to ensure that adequate systems were in place to protect children. My questions are to the Minister of Children's Services. Are children any safer today than they were 10 days ago?

MS EVANS: Well, Mr. Speaker, I most assuredly hope so. With the provincial support that we will be providing, there will for certain be more staff at Kasohkewew, but let's be quite clear. The funding formula and the desire by First Nations to manage their own child welfare services and their partnership with the federal government mean that this is a three-party partnership. You might say in this situation that the party that's the provincial government just beefed up its supports today considerably while we're going through the process of looking through the practices at Kasohkewew. So to lay it all at the feet of the province when we know full well in this House that the federal government has not funded portions of the child welfare delivery system that are delivered through either family and community support services or other supports elsewhere in our agreements is not a fair claim.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. To the same minister, Mr. Speaker: why wasn't a plan and an accountability framework developed with Kasohkewew right from the very beginning?

MS EVANS: Mr. Speaker, the delegation of authority for Kasohkewew was one of the first delegation orders signed, one of the first in the more recent past. I must say that we have others that even predate the child and family services authorities. Siksika signed an authority for delegation many years ago and has been

performing admirably and quite independently to a large extent in their delivery of child welfare service on that reserve. In terms of what has been happening here, this delegation, unlike some of the newer documents, did not define an either/or, a middle ground, for us doing some work with Kasohkewew: either they had delegation or we revoked it. In this agreement of understanding we've defined a middle ground for working together, something which is like a commissioning or a complete review of the service provided, and we feel confident that through this process we will not only be able to identify strengths and weaknesses, but we'll be able to cite areas for improvement and work on that.

If I may, Mr. Speaker, in September 2002 there is a new agreement for delegation that will come into play if that is the decision at that date for Kasohkewew. During this next interval, these next few months, we'll be able to evaluate whether or not we're able to make a more effective system and whether we'll be able to work with the chief and council and the delegates to the child welfare society to do the best job possible.

2:20

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. To the same minister, Mr. Speaker: are there other authorities operating without quality assurance plans?

MS EVANS: Mr. Speaker, it is a good question. I've asked that very question about whether or not it's clear and implicit in their delegated authorities whether those assurances are given. We are conducting as we speak a review of that. I think many of us would assume that it is implicit, but I think it ought to be carved in a clearer message so that we know at the time when the provincial government goes in and assesses performance measures if they're complete. So, as we speak, that assessment is being done. I thank the hon. member for the question because it's an important one in making sure we're working not with just the 18 child and family service authorities but all 36 directors of child welfare who are delivering child welfare in Alberta.

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

Electricity Deregulation (continued)

MR. MASON: Thank you very much, Mr. Speaker. Electricity deregulation in Alberta equals higher prices and a complicated electricity bill that hardly anyone understands including, I suspect, the Premier. The per kilowatt charge for the average Edmonton customer has gone from 7.69 cents in April 2000 to 10.63 cents in April 2002. That's an increase of almost 40 percent. Whereas before deregulation we just paid for the electricity we used, we now pay fixed service charges, 2001 shortfall charges, 2000 deferral charges, and delivery consumption charges. To the Premier: why is the Premier allowing the Minister of Energy to blame the power companies for putting all the extra charges on utility bills when these additional charges are a direct result of the government's own deregulation scheme?

MR. KLEIN: Mr. Speaker, the question was asked previously by a member from the Liberal opposition, and I replied at that time that I would take the matter under advisement, but there is something relative to the figures quoted by the Member for Edmonton-Highlands. He talked about 7 point whatever it was cents a kilowatt hour in April of 2001, I believe.

AN HON. MEMBER: In 2000.

MR. KLEIN: Oh, in 2000. Because in 2001 of course the rebate program was in effect, and in many cases people weren't paying, well, anything. I'm an example, with my condo in Edmonton. I didn't get a bill until I think it was February of this year that I actually had to pay.

But the figure that concerns me most, Mr. Speaker – and I say this just for the sake of accuracy and in the spirit of fairness. He mentions an April date specifically of 10.6 cents a kilowatt-hour. Now, it may have been a particular hour on that particular date when the price spiked to that amount. The hon. Minister of Energy has stood up in this Legislature day after day citing the average daily rates, and I think last week he cited figures in the area of 5.6, 5.7 cents a kilowatt-hour. In the sense of fairness and in the spirit of fairness, why doesn't the hon. minister use those figures instead of the worst case, most highly inflated figure? That's politics at its absolute worst.

MR. MASON: I'm not a minister, Mr. Speaker, yet.

Mr. Speaker, I have the bills right here, and I would ask the Premier to explain to Albertans, who know, despite his fancy dancing in the House, that they're paying a lot more for their power, why they are paying more if this deregulation scheme was supposed to bring prices down.

MR. KLEIN: Mr. Speaker, over time it will, but I would remind the hon. member that there are no guarantees under a regulated system. I can recall many, many years ago utility companies under a totally regulated environment applying to the then Energy Resources Conservation Board for increases in the neighbourhood of 10, 15, 20 percent. Sometimes those increases were adjusted, and sometimes the ERC – no; it was the Public Utilities Board at that particular time – awarded those kinds of increases, and the people, the consumers, the customers had to pay.

THE SPEAKER: The hon. member.

MR. MASON: Thank you, Mr. Speaker. Can the Premier please explain how much more electricity prices are going to go up when the \$345 million in the deferral account in the Balancing Pool gets added to their power bills?

MR. KLEIN: Well, Mr. Speaker, I'll take that under advisement, but over the long term – and we do think in the longer term – the primary objective of course of deregulation was to provide competition and to get more power onstream. Under a restrictive, regulated environment, that power was not being built, and as you know, we were facing a critical shortage of power. Since deregulation many thousands of megawatts of new power have been announced or in fact are under construction as we speak. We have 3,800 megawatts alone in the Fort McMurray area, I believe, through cogeneration. We have numerous new plants being announced relative to coal and wind generation. None of this new power would have come onstream in a regulated, controlled, and restrictive environment. It will only and has only come onstream since we lifted the restrictions of a socialist attitude toward the distribution of power.

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

Municipally Owned Power Companies

MR. RENNER: Thank you, Mr. Speaker. My questions today are to the Minister of Municipal Affairs. Last Thursday in question

period the minister indicated, in response to the Member for Edmonton-Highlands, that the consultation currently under way with municipalities with respect to regulations governing municipally owned corporations is just that, consultation. Despite the minister's assurance that any changes would result from dialogue between the province and municipalities, some constituents in Medicine Hat have expressed concern. Given that the city of Medicine Hat owns and operates both gas and electric production and distribution utilities serving the citizens of Medicine Hat, can the minister advise what if any impact these discussions could have on this long-standing practice?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you, Mr. Speaker. First and foremost, I want to say clearly that in serving its citizens, the council in Medicine Hat does a very good job relative to the service they provide. As the hon. member is aware, the city of Medicine Hat has received numerous approvals over the past couple of years relative to that good service. The proposed regulations are simply that; they are proposals. We're asking for consultation, and in fact we've consulted with 360 municipal governments relative to that. That's why we're making it so public. But understandably so, the intent of the municipal government is that they are there to serve municipal purposes, and clearly these regulation amendments that are going forward or being consulted on are important partners in serving that municipal purpose.

THE SPEAKER: The hon. member.

MR. RENNER: Thanks, Mr. Speaker. I take it from that answer, then, that the minister is saying that these proposed regulations would only apply to new acquisitions, not existing corporations.

MR. BOUTILIER: Mr. Speaker, what we're doing is consulting with municipalities like the city of Medicine Hat. It's also important to note that we're consulting with the bigger cities such as Edmonton, such as Calgary, and their respective corporations such as EPCOR and Enmax. What we're doing is reviewing this so that in fact the best interests of municipalities in the guidelines we're offering will be there, so at the end of the day the municipal councils will make the local decisions that best serve their citizens.

THE SPEAKER: The hon. member.

MR. RENNER: Thank you. Well, my final supplementary is simply this: can the minister assure me and my constituents that no matter the outcome from these consultations, any decision respecting the disposition of Medicine Hat's utilities will remain solely the discretion of Medicine Hat city council and not the Minister of Municipal Affairs?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you, Mr. Speaker. I'm so pleased the hon. member has asked that question. The decision will lie 100 percent with the elected mayor and council of the respective municipality.

THE SPEAKER: The hon. Member for Edmonton-Centre, followed by the hon. Member for Whitecourt-St. Anne.

2:30

Community Lottery Boards

MS BLAKEMAN: Thank you, Mr. Speaker. The government has never really explained why it dismantled the effective and popular

community lottery boards. The possibilities range from concerns about lack of accountability to government chagrin over local decision-making to denied opportunities for photo ops for backbenchers to low priority ratings from the Premier. The list goes on. Now we hear that a new program is coming out in a few weeks but after the end of session. My questions are to the Minister of Gaming. What exactly were the concerns about accountability of community lottery board grants that led to complaints from government members and were possibly the reason for the cancellation of the program?

THE SPEAKER: The hon. minister.

MR. STEVENS: Thank you, Mr. Speaker. The preamble of the hon. member indicates that the reason for the discontinuance of this particular program was not clear. The fact is that the reason for the discontinuance has been clear in that it was a financial decision, a difficult financial decision that was made by the Treasury Board as part of putting together the budget for this year. That was made clear and has been stated a number of times in this House. There is no doubt that this particular program was a very successful program. There were 88-some community lottery boards throughout the province, and there was a great deal of scope and local discretion with respect to that. So it's reasonable that in the application of that discretion there were variances throughout the provinces and as such there would be difference practices. Some of those practices were different than others, and it's fair to say that some were better than others. That particular difference was noted from time to time, and that would be one of the things which I have heard from some of the members in the House.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you very much. Well, to the same minister, Mr. Speaker: given that there was no money to reinstate the community lottery boards, where's the money coming from for this new program that will be announced next month?

MR. STEVENS: Mr. Speaker, what I have said in answers previously in the Assembly, going back one or two weeks, is that I have been asked to review the possibility of addressing the applicants to the previous community lottery board that were falling between the cracks. What I understand by that is that I am to review existing programs to determine the scope of those programs and match them with the scope of the community lottery boards. I am to examine where in fact the money was going within the community lottery boards. For example, there were some 10 categories that could be used by community lottery boards: community services, social services, library, education, and so on and so forth. It's important to have an understanding of the nature of the applications: where they were located, the amount of the applications, rural versus urban, and so on and so forth. We're in the process of doing that, and we're matching it with existing programs.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you very much, Mr. Speaker. My final question is again to the Minister of Gaming. I'm wondering if this new program will assist the Sport Medicine Council's program on bicycle helmet safety. This is Bicycle Helmet Safety Month as well.

MR. STEVENS: I must say, Mr. Speaker, that the analysis to date has not made it down to that specific level, so I'm unable to advise

the hon. member as to whether or not that particular group would be able to avail themselves of what might be a program that is modified going forward. Once again, I intend to bring forward to my colleagues some time in the weeks ahead some alternatives that they will consider. I'm sure that they will provide some good advice on that, and I can tell the hon. member that at that point in time I'm sure that we will take into account this particular group to determine whether or not it falls within the scope of what we were talking about.

head: **Recognitions**

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

St. Albert Optimist Club Youth Appreciation Night

MRS. O'NEILL: Thank you, Mr. Speaker. Last week I attended St. Albert's youth appreciation night, sponsored by president Kyle Kirzinger and members of the Octagon Club of Paul Kane high school and organized under the direction of Mr. Dale Smith, an exceptionally energetic teacher at Paul Kane high school who works with the support of the Optimist Club of St. Albert. At that ceremony Bellerose composite high school recognized Matt Roper, Cailynn Blanck, and Avalon Thorne. Paul Kane high school praised Erin Willis, Marin Thomas, and Matt Chapelsky. St. Albert Catholic high school acknowledged Patti Trovato, Michelle Jennings, and Lisa Hryciw. L'ecole secondaire Sainte Marguerite d'Youville honoured Landon Riemer, Colin Jenkyns, and Cherrisse Crockett. All of these young people are young people with attitude, the attitude of caring, giving, helping, working, and looking to a positive future.

THE SPEAKER: The hon. Member for Wainwright.

Wainwright Constituency By-election

MR. GRIFFITHS: Thank you, Mr. Speaker. It is my pleasure today to rise to recognize persons in my constituency who were instrumental in achieving our victory in the recent by-election in the Wainwright constituency. It is impossible for me to name all of the individuals who provided assistance. I would like, however, to mention a few individuals from the team and recognize their incredible efforts towards achieving our success. Thank you to my campaign manager, Henry Czarnota, who helped during the nomination race, and my campaign manager for the by-election, Dick Bruggencate. As well, I'd like to thank Ken Checkel, Brian Heidecker, Jim Klasson, Herb Rock, Darlene Jenson, Bob Foley, Ken and Donna McNeil, and Louis Johnson.

I would also like to recognize the other nominees and candidates who ran a fair and clean campaign and are all credible people who have the same ultimate goal as each of us: to ensure the future success of this province and the people therein.

There are so many people who assisted with the campaign, and I wish I could recognize them all, but I can't. So I would simply like to say thank you to the entire team and the people of Wainwright for giving me a chance to work with you for success and prosperity for our constituency.

Thank you.

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

Bruin's Plumbing & Heating Ltd.

MRS. JABLONSKI: Thank you, Mr. Speaker. It's a great Alberta success story when a business starts in the basement of a home and

grows to require a facility of almost 18,000 square feet. On Saturday, May 4, 2002, the Bruin family celebrated the grand opening of Bruin's Plumbing & Heating Ltd.'s new location along with their friends and staff of over 100 employees. I was very honoured to share this milestone of growth and success by cutting a pipe in the grand opening ceremony.

Thirty-seven years ago Cor and Arica Bruin started a small plumbing business in the basement of their home. Their son Herman and his wife, Carol, worked hard to develop the family business, and today a third generation with Marty Bruin and Corinna McArthur continue to serve the growing construction needs of the central Alberta region.

Bruin's Plumbing has dedicated and committed employees who have helped them achieve this success. Many have been with them for over 20 years, including Dave Carritt, Ken Poffenroth, Dave Genes, Randy Fitzgerald, Robert Moores, Bruce Hicks, and Jackie Hewson. Bruin's Plumbing works extensively with the Alberta apprenticeship and industry training department under the Ministry of Learning to develop journeymen in plumbing and heating.

I would like to extend the congratulations of the Alberta Legislature to the Bruin family and their staff. We wish them all the best for their continuing success in the future.

National Nursing Week

DR. TAFT: Mr. Speaker, I am proud to rise in Alberta's Legislature today to recognize National Nursing Week. There are over 25,000 registered nurses in Alberta alone and thousands more licensed practical nurses. Nurses are the backbone of Alberta's health care system. Combining intense training and a remarkable range of skills with a genuine compassion for others, nurses work in high-tech ICUs and in street level walk-in clinics, with pregnant girls and frail seniors, in military units, and in administrative offices.

One way to get a feeling for the difference between nursing and doctoring is to think about the difference between nursing a drink and doctoring a drink. To nurse something means to nurture it, to foster it, to look after it. In fact, the word "nurse" shares the same Latin origin as the word "nourish." As nurses care for us as individuals, they nourish us as a society. So it is only appropriate that as individuals and as a society we take the time to recognize National Nursing Week and the invaluable place of nurses in Alberta.

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

International Nurses Day

MR. MASON: Thank you, Mr. Speaker. I am married to a nurse, and I am very happy as well to rise in recognition of International Nurses Day and pay tribute to these health care professionals. These are the women and men who care for the sick, educate new mothers, immunize our children, comfort the dying, and improve our quality of life. Amidst the chaos of the day, nurses go the extra mile for their patients. Nurses continue their tradition of providing care and compassion to the sick, but the profession has dramatically changed over the past number of years. Higher educational requirements and increasing responsibility for patient health have transformed nursing into a full and equal partner in the delivery of health care. Nurses are diagnosticians, educators, researchers, and specialists. We honour their incredible commitment to their work, their profession, and their patients. Our lives are made better as a result of their work.

2:40

head: Presenting Petitions

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

DR. PANNU: Thank you, Mr. Speaker. I rise to present a petition signed by 66 Albertans petitioning this Assembly to urge the government not to "delist services, raise health care premiums, introduce user fees or further privatize health care."

Thank you, Mr. Speaker.

head: Tabling Returns and Reports

THE CLERK: Mr. Speaker, pursuant to Standing Order 37.1(2) I wish to advise the House that the following documents were deposited today with the office of the Clerk by the hon. minister of health, pursuant to the Regional Health Authorities Act: Aspen regional health authority No. 11 annual report 2000-2001; Mistahia health region annual report 2000-2001; health authority No. 5 annual report 2000-2001; Keeweetink Lakes regional health authority No. 15 annual report 2000-2001.

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

MR. HORNER: Thank you, Mr. Speaker. I have three tablings today. This first one is a letter from the mayor of Parkland county, Mrs. Elsie Kinsey; the second one is a letter from the mayor of Spruce Grove, Mr. Ken Scott; and lastly is a letter from Elizabeth George, a constituent from Spruce Grove. All of these letters are regarding their concerns with funding for community lottery boards and their request to move swiftly to either reinstate the community lottery boards or provide an alternative.

Thank you.

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

DR. TAFT: Thank you, Mr. Speaker. I rise today with the appropriate number of copies of one tabling that's five pages of examples of health care fraud cases involving health care businesses in the U.S. totaling over \$1.26 billion.

Thank you.

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

MR. MacDONALD: Thank you very much, Mr. Speaker. I have two tablings today. The first one is the official program from the King's University College graduation ceremonies, which took place Saturday afternoon at Ellerslie Road Baptist Church here in Edmonton.

My second tabling is a letter from Dr. Sharon Richardson, the president of the Alberta Association of Registered Nurses. It's dated April of this year, and it, too, is in regards to National Nursing Week, May 6 through 12.

Thank you very much.

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

DR. PANNU: Thank you, Mr. Speaker. I rise to table two letters. The first one is a letter from Brenda Brochu, director of Peace River Regional Women's Shelter. It's addressed to the Minister of Human Resources and Employment and is dated April 29. Ms Brochu is disappointed with the minister's announcement that there'll be no increases in welfare rates at this time.

The second letter, Mr. Speaker, is a letter addressed to the Minister of Health and Wellness. It's dated May 1 and is from Chris Blake, president, Peace River and District Chamber of Commerce. The chamber is concerned with the regional health authority's

budget shortfall, possible closing of beds at the Grimshaw/Berwyn community health centre, and the overall reduction of service to the residents in their region.

Thank you, Mr. Speaker.

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

MR. MASON: Thank you very much, Mr. Speaker. I have two tablings today. The first is a letter from David Thiele, a councillor with the city of Edmonton, addressed to the Premier. Mr. Thiele is urging the government of Alberta to lower flags to half-mast on the day of mourning to remember and honour the workers who were killed or injured on the job.

The second tabling, Mr. Speaker, is the requisite number of copies of the two utility bills which I referred to in question period today.

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 the annual reports of the Alberta College of Optometrists and the College of Physical Therapists of Alberta.

Thank you.

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

MR. HANCOCK: Thank you, Mr. Speaker. I'm pleased to table today on behalf of the Deputy Premier and Minister of Agriculture, Food and Rural Development the responses to questions raised during Committee of Supply for Agriculture, Food and Rural Development on April 17, 2002.

head: **Orders of the Day**

head: **Written Questions**

THE SPEAKER: The hon. Deputy Government House Leader.

MR. STEVENS: Thanks, Mr. Speaker. Proper notice having been given on Thursday last, it's my pleasure to move that written questions appearing on today's Order Paper do stand and retain their places.

[Motion carried]

head: **Motions for Returns**

THE SPEAKER: The hon. Deputy Government House Leader.

MR. STEVENS: Thanks, Mr. Speaker. Proper notice having been given on Thursday last, it's my pleasure to move that motions for returns appearing on today's Order Paper do stand and retain their places with the exception of Motion for a Return 9.

[Motion carried]

Natural Gas Venting

M9. Mr. Mason moved that an order of the Assembly do issue for a return showing Alberta Energy and Utilities Board data on natural gas venting for the fiscal years 1996, 1997, and 1998 broken down by company and field centre.

THE SPEAKER: The hon. Minister of Environment.

DR. TAYLOR: Yes. On behalf of the Minister of Energy let me say that the Minister of Energy would dearly like to release this data. However, once the member hears the reason he cannot, he I'm sure will accept it. The reason is that the information was not collected in the form in which he has asked for it by the Energy and Utilities Board in 1996, 1997, or 1998. However, the Energy and Utilities Board did start collecting the information in the way that he's asked for it in '99 and 2000 and subsequently released this information to the public.

So because the information was not collected in that form, it can't be released. We have to reject the motion, but the point is well taken. It is collecting the information in the appropriate form and now releasing it.

THE SPEAKER: The hon. Member for Edmonton-Highlands to close the debate.

MR. MASON: Well, thank you very much, Mr. Speaker. The minister has not said in what form the data was collected. I would certainly encourage him to explain how this information was collected. Perhaps it may be useful. But to just say that it wasn't collected in the way I'm asking for it leaves me trying to guess how it was collected. So it's not in my view a particularly fair response to the question.

The motion is a very straightforward request for statistical information. There are statistics, as the minister has said, in the years '99 and 2000 which show an almost 50 percent increase in natural gas venting between those two years, and having access in some form to the volumes of gas vented in 1996 to '98 would help to ascertain whether the increase in gas venting was a one-year blip or part of a longer term trend. So I would ask the minister to tell the House at the appropriate time what information is available and in what form it was collected.

Thank you, Mr. Speaker.

[Motion for a Return 9 lost]

2:50

head: **Public Bills and Orders Other than
Government Bills and Orders
Committee of the Whole**

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: We'll call the committee to order.

Bill 206

Fisheries (Alberta) Amendment Act, 2002

THE DEPUTY CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Lac La Biche-St. Paul.

MR. DANYLUK: Thank you, Mr. Chairman. It is with great pleasure that I rise today and begin debate on Bill 206, the Fisheries (Alberta) Amendment Act, 2002, in Committee of the Whole. I would like to begin by thanking the members of this Assembly for their comments and ideas regarding Bill 206 in second reading. More importantly, I would like to thank everyone for their support as we move into the next stage of debate.

Bill 206 will function similarly to the Agricultural Pests Act and provide the same kind of protection to fish farmers as is currently afforded to livestock and grain farmers. Aquaculturists will now have the ability to protect their investment from pest species like the cormorant just as an agriculture farmer can protect his crops from bears and gophers.

[Mr. Lougheed in the chair]

Bill 206 would also help ensure the protection of the natural fish populations to ensure that this precious natural resource is maintained and enhanced. Bill 206 entrusts Alberta Fish and Wildlife to take an educationally informed approach, ecologically and environmentally healthy execution, and the most cost-effective measures to manage threats to our fisheries, our ecosystems, and our water supplies. The bill urges the government to take the necessary steps to sustainably protect and recover fish populations. Bill 206 also addresses a specific problem that faces many Albertans and the majority of my constituents, and that's the recent explosion of predatory birds around the lakes in northern Alberta that have increased the challenge facing Alberta's fish population and really their increase or their existence.

This is by no means an isolated issue, Mr. Chairman. There are other North American jurisdictions that have recognized the cormorant problem and implemented a course of action to deal with their numbers and destructive habits. Both the state of New York and U.S. Fish and Wildlife have studied the ruin and devastation that birds like the cormorant have caused. The respective governments are already working to determine their best course of action to address the increasing populations. I think that it is very important that all members of this Assembly understand that this problem is not only a problem that I see, that it is not only an issue in the constituency of Lac La Biche-St. Paul. It is a problem that has been recognized across our continent and that is already being addressed in other lake regions.

In the weeks since this bill received second reading, it has come to my attention that a small amendment could be made to improve Bill 206. I would like to move that amendment to Bill 206, and I believe that the members have copies that have been passed out. Nothing in this proposed amendment in any way changes the intention or the principle of the bill. It merely ensures that it achieves its full intent.

If I can, I would like to briefly review it, Mr. Chairman. The amendment in section A is a technical change related to the proposed section 33.1(1) by replacing "adopted" with "established." The original subsection refers to "guidelines adopted by regulation." The proposed amendment to section 44 of the Fisheries (Alberta) Act in the bill already allows the minister to make regulations establishing guidelines for the purpose of section 33.1.

The amendments in section B to the section of the bill relating to the Agricultural Pests Act arise because of the interrelation between the fisheries act and the Agricultural Pests Act. It essentially makes an order under one act relating to Crown land operate under another act. These are just minor changes to ensure consistency.

[Mr. Shariff in the chair]

The amendments in section C are what can be called consequential amendments to the Wildlife Act to ensure that an order under the new section 33.1 of the Fisheries Act is not interpreted as a violation of the Wildlife Act. These amendments will eliminate confusion and ensure that Bill 206 works in the manner that was originally intended.

With that said, Mr. Chairman, I think that I'll end my comments. I would prefer to keep my comments short at this time and would like the members of this Assembly to speak to the amendments. Thank you very much.

THE DEPUTY CHAIR: The hon. Member for Bonnyville-Cold Lake.

MR. DUCHARME: Mr. Chairman, thank you for the opportunity to rise today and speak to Bill 206, the Fisheries (Alberta) Amendment Act, 2002. I would like to echo the sentiments of the many members who have already spoken to this bill and thank the hon. Member for Lac La Biche-St. Paul for bringing this bill forward for consideration.

Having reviewed the amendments before us today in committee, I would like to say that they will be receiving my support. They appear to be simple housekeeping amendments designed to ensure that the intent of the bill is carried through into practice, and that intent, Mr. Chairman, is to enable fish farmers to protect their investment from pest species of nongame birds. Bill 206 would create a mechanism and guiding principles by which the Department of Sustainable Resource Development would ensure the viability and protection of fish stocks and the biological diversity of aquatic ecosystems in Alberta's lakes.

Alberta's aquatic ecosystem is very important to this province for a number of reasons. One reason happens to be economic, where local entrepreneurs sell their fish stocks for a variety of reasons including fingerling production, you-fish operations, contract growing, table food market protection, and biological grass control carp, where operators raise sterile carp for weed control in water and for research purposes.

All told, Mr. Chairman, the year 2000 performance measure of the Alberta aquaculture industry has been estimated at \$10.8 million. This translates into a contribution of over \$1 billion to the Alberta economy when you consider commercial and sportfishing and not including tourism spin-off industries. But this industry faces many challenges that require our assistance. Alberta fish populations are at dangerously low levels. Pike catches are only 15 percent of what they were in 1970. Of the 27 walleye populations for which there is data, 21 have collapsed in recent years.

Concurrent with the fish population collapse over the past 30 years, cormorant populations have increased tenfold. Each attempt to restock Alberta's lakes and streams with fish has corresponded to a marked increase in cormorant populations. I think it is important to note that cormorants have no natural predators in northern Alberta.

Cormorants are not only a problem here in Alberta but have also proven to be threats in other parts of North America. In fact, these predators have become a significant problem in the state of New York. In Lake Champlain destruction of vegetation on nesting islands by cormorants threatens populations of common terns, a threatened species. New York is currently involved in a series of cormorant studies and management activities with counterparts in other states, universities, the federal government, and Canada.

Here in Alberta, Bill 206 helps to protect our crucial fisheries industry from these pests by allowing for the improvement of spawning routes through the constructive removal of beaver dams, monitoring and control of predatory bird colonies, and the reconciliation of commercial fishing licences when and where required for the long-term viability of fishery resources. The protection of spawning routes and fish stocks is vitally important, especially in areas where natural predators undermine the hard work and dedication of aquaculturists.

As an Assembly we need to empower these people to properly deal with pests and predators that threaten their investment. We can do that by passing Bill 206. The bill would clarify the role and the responsibility of Alberta Sustainable Resource Development to protect the fisheries resources of the province. This will be done by amending the Fisheries (Alberta) Act to include provisions allowing the minister to issue depredation orders, remove beaver dams, restrict fishing in specific regions, or declare some nonendangered

nongame birds as pests. All of these actions will be taken when in the best judgment of the minister public fisheries or private fish farms are threatened.

3:00

Bill 206 would also amend the Agricultural Pests Act to allow the minister to declare a certain species of nongame birds as pests to aquaculture, thereby giving fish farmers the authority to protect their investment from pest species through lethal methods without a depredation order. The actions proposed by Bill 206 are already possible under a combination of the Agricultural Pests Act, the Wildlife Act, and the Water Act, but current legislation does not compel the government to proactively manage fishery resources.

Mr. Chairman, the members of this Assembly should pass Bill 206 because active management of fishery resources to promote long-term sustainability of the industry would increase the economic stability and growth in northern Alberta. The members of this Assembly should pass Bill 206 because it would enable the Ministry of Sustainable Resource Development, responsible for Alberta fish and wildlife, to ensure that fish farmers have an effective recourse in the protection of their property from pests. The members of this Assembly should pass Bill 206 because under this legislation the spawning routes of all fish species would be facilitated. This would increase the population of fish naturally and thereby reduce the necessity of expensive restocking measures.

Again, Mr. Chairman, I would like to voice my support for the well-reasoned amendments proposed this afternoon, and I would urge all members of this Assembly to pass Bill 206 in Committee of the Whole and bring this legislation one step closer to becoming law. Thank you.

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

MR. DANYLUK: Thank you, Mr. Chairman. I'd like to reassure the hon. Member for Bonnyville-Cold Lake that this is a housekeeping amendment. I think it's very, very important that we have a balance in the ecosystem. That is why the proposed bill has the regulations under the minister in charge and with the use of the expertise of his biologists to be able to establish and maintain a balance in the ecosystem. I would also suggest with your comments in regard to fish farming that this only allows birds to be considered under the pest legislation, if you want to call it that.

Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Chair. It's a pleasure to make a few comments regarding the amendment to Bill 206, particularly comments which reflect what different associations in this province have said when it comes to the state of our fish population in the province and as well the double-crested cormorants. I look at a couple of very reputable people and associations that have been mentioned and certainly one of them being the – we will get to that association shortly here.

One of the situations that is most disturbing about this particular bill is that this situation has been occurring for a number of years. We look at the situation where the population of the bird has been doubling in numbers for a number of years, yet we have not taken the steps to identify why this situation is taking place. Where we had very stable numbers of double-crested cormorants over the years, we now have a situation in this province where this bird population is exploding. Certainly, in my opportunities to speak at

second reading of the bill, the point I made was that the biggest impact on Alberta's fishery resources continues to be the lack of resources that our provincial fisheries management agency is given to manage our fish resource. There are situations that have arisen here.

Now, when we look particularly at the lakes in Alberta, the majority of lakes – and these are smaller lakes. These are very shallow lakes, and they promote the development of our pike and walleye fish stocks, being warmer water fish, and we know that the level of lakes overall has decreased over the last decade or decade and a half. We also know the popularity of not only sportfishing, but we also have tried to maintain a commercial fishing industry here in this province. As a result of that, we certainly have had a huge decrease in the fish stocks, particularly fish stocks in the areas of pike and walleye. These are fish, Mr. Chairman, that normally would feed on the type of food that the cormorant also feeds on. So with the lack of those fish stocks in the lakes, we have seen an increase in the populations of smaller fish in the lake, and the cormorant is one of the major predators of these fish, and they take every opportunity they can to go after these fish.

Now, then, one of the big problems with the amendment and with the bill is that here in Alberta we are passing a bill where we are going to be killing off wild birds who in their natural process, in their natural environment, are eating wild fish. As the hon. member said, we have to keep a balance in the ecosystem, and I fully agree with what he has said here, but the balance in the ecosystem has been disrupted by the amount of fishing, by taking, by decreasing the stocks of pike and walleye. So when we have altered the balance in the ecosystem in that fashion, then certainly the commonsense approach to restoring that is to restore those fish stocks that have been so badly depleted over the last few years. As well, we have to realize that our lakes are not viable when it comes to supporting a commercial fishing operation such as we have in the past. We certainly have to look at changes in that regard as well.

Now, we also have had changes in our regulations as to the number of fish that can be kept in the sportfishing industry, so we have taken some steps yet haven't taken enough steps, and we certainly haven't taken the steps that will allow Mother Nature to fix this problem herself. She does need a little bit of help here, and it is not because of the cormorant. It is because of what we have allowed to happen in those lakes. Usually what happens, as I said earlier, is that the fish populations of these smaller types of fish are normally kept in check. Their populations and their particular place in the food chain is normally kept in check by the pike and the walleye. As it has taken a number of years for this problem to develop and to get to the point where we would actually consider some type of legislation in this Assembly, then certainly it is going to take that many years to restore those populations of pike and walleye, to watch as Mother Nature herself takes care of the populations of the double-crested cormorant.

3:10

As well, I look at one of the major concerns here: what is happening to the commercial fish industry. I notice that the hon. Member for Lac La Biche-St. Paul mentioned the many different areas that the fishing industry in this province relies on, whether supplying fingerlings or whatever. In the whole system here we have to look at not a quick fix by killing off a number of birds, but we have to realize that in doing so, once again we have altered the ecosystem, which has allowed the double-crested cormorants to increase in number. Killing them off in this fashion is certainly going to be an impact by man on the ecosystem, and this quick fix in the long run can impact our ecosystem. I think we have identified part of the problem here, but we haven't gotten to the root of the

problem, and that is: what has happened to the huge amount of stock we had of walleye and pike?

Thank you.

THE DEPUTY CHAIR: Hon. members, just a reminder that we are currently still dealing with the amendment that's before us. Anybody else wishing to speak on the amendment? The hon. Member for Peace River.

MR. FRIEDEL: Thank you, Mr. Chairman. It is my pleasure to stand here today and speak to the amendments on Bill 206, the Fisheries (Alberta) Amendment Act, 2002, as introduced by our colleague from Lac La Biche-St. Paul. The amendments add some clarity to the importance of the bill, and I think it's important that we look at the sustainability of Alberta's fish habitat as we would any other sustainability issue in the area of environment, environmental habitat, animals, and so on.

Mr. Chairman, Bill 206 is intended to correct a problem that has existed in our ecosystem for some many years. The livelihood of many Albertans depends on the fish habitat in our lakes and rivers, and this bill with the amendments will allow the Department of Sustainable Resource Development to set up a mechanism to ensure sustainability and viability of fish farming and the fishing industry as a whole. I think it's responsible as a position to provide the means whereby aquafarmers can protect their property from pests. For the last three decades there has been a major collapse in the fish population, and at the same time the cormorant population has flourished. This bird is a very skilled predator of small fish and has the ability to severely deplete fish stocks in the lakes and other bodies of water with an amazing efficiency.

Bill 206 would allow fish farmers to protect their investment and in turn their livelihoods from this and other pest species. Since these birds have expanded their habitats dramatically during the last three decades, they've placed severe pressure on Alberta's fish population. While fish farmers and environmental groups have worked hard to maintain the industry, the cormorant and other pest birds are working even harder to deplete the population of fish to dangerously low levels.

Alberta is a great habitat for the cormorant. As we have heard several times, no natural predators exist to control their population. Snakes and rats are the two major predators to keep the cormorant in check in other jurisdictions, and I know we don't want those here either. We've heard from some members that we have changed the balance in the ecosystem – and maybe we have – by keeping Alberta rat free, but I don't think anyone would suggest that we would want to go back and reverse that just for the sake of ensuring the absolute purity of managing ecosystems. Also, Mr. Chairman, many lakes in Alberta are relatively shallow, and since the cormorant can dive up to 40 feet, the fish have nowhere to hide.

Bill 206 will provide fish farmers and the department with the tools that are necessary to control these problem bird species. It's also important to point out that commercial and sportfishing as well as tourism contribute over a billion dollars to the Alberta economy, and these are certainly impacted by the reduced fish stocks in our lakes and river systems. Bird predation is among the leading causes of fish losses at commercial aquaculture facilities, and by providing reasonable and effective legislation, we can ensure that certain pest species are held to levels that allow for environmental harmony. I emphasize the words "environmental harmony."

Mr. Chairman, the Agricultural Pests Act, which is administered by the Department of Agriculture, Food and Rural Development, allows farmers to proactively manage certain species that threaten their stocks as long as they have been listed as a pest by the minister.

The Fisheries (Alberta) Amendment Act would work in much the same way to protect our fish population from nonthreatened, nongame birds. These pest species have gone unchecked for too long, and legislation is needed to resolve the problems that they're causing.

There are major environmental and economic implications to this issue, and unfortunately the double-crested cormorant is at the centre of most of it. By providing adequate spawning routes, we would facilitate the natural ability of fish stocks to develop, and this can be done by removing beaver dams that pose a problem for fish migration. The bill would also help farmers deal with problem beaver dams when it's appropriate. The facilitation of spawning waters could help increase fish populations naturally, which would also reduce the need for expensive artificial restocking measures. Bill 206 would do more than just control pesky birds. It deals with the development of a healthy fish population and vibrant fish and other aquaculture farming operations. It would require that Alberta fish and wildlife evaluate the aquatic ecosystem and provide effective solutions to problems that are affecting the fishing industry throughout the province.

3:20

This bill is not designed to eliminate the cormorant or any other predatory bird in Alberta but rather deal with their out-of-control population. It is designed to provide a tool for fish farmers to deal with pests that threaten their property and their livelihood. It will also address the issue of managing sport and commercial fishing licences to promote sustainable harvesting. This part of the Fisheries (Alberta) Amendment Act is necessary to ensure that we can maintain a healthy fish population in areas affected by overfishing.

Mr. Chairman, Bill 206 and the related amendments provide a broad framework that will serve as a foundation for effective stock recovery strategies. Only a broad and flexible approach will ensure that we do what's best for Alberta's fish population, for the fishing industry, for our tourists, and for aquatic ecosystems as a whole.

Mr. Chairman, I am supporting Bill 206, and I'd like to encourage all my colleagues in the House to do so as well. Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Chairman. As much as I would like to speak in support of the conservation of fish and the preservation of fishing, I'm going to have to speak against this bill because I think that the diagnosis that this is based on, the diagnosis of the decline of fish, is off the mark in my view.

I spoke on Bill 206 at second reading. On third reading I find that the bill doesn't really address the problem of why it is that the fish levels have decreased and fishing is in decline in the province. We have heard in the meantime also from the Alberta Wilderness Association. I've looked at some materials from other places, including a letter from one of our recent graduates from the University of Alberta, and in all of these pieces of literature or communication there is an overwhelming opinion which suggests that if we really want to address – and we should – the problem of the decline in fish stocks and therefore the decline in fisheries, we should be doing things other than going after the cormorants, because they are not part of the problem. They are a symptom of the problem.

Here's a letter from Jade Dodd, BSc. environmental sciences from the University of Alberta. The letter is addressed to me. It's a short letter, so I may as well quickly read it. It says:

I was shocked and angered to see an article in the Edmonton Journal on May the 4th, talking about a private member's bill aimed to

reduce the number of Double-crested cormorants near Lac La Biche . . . There is no scientific evidence to support that the reason for declining fish populations has to do with the Cormorants. We have all heard this kind of nonsense before. In fact the American White Pelican and the Double-crested Cormorant were once close to extinction because people thought they were eating too much fish. We have finally gotten back on track with their populations and now some [others are] trying to do it again! Many studies have shown that they don't even eat the sport fish, so my next question is, what is going on in that Legislature that Bills like this have passed second reading, and others, which may have merit can't even get on the floor?

That's the end of the letter from Jade Dodd.

Let me read a few excerpts from a few other communications here, Mr. Chairman. I think that the Legislature and my colleagues actually will benefit from this. There's a news release from the Alberta Wilderness Association. The Minister of Environment might be interested in listening to it too.

A new private members bill, which gives the appearance that the government is doing something to protect our fisheries, only treats the symptoms not the causes. The bill, sponsored by [the hon. Member for] Lac La Biche . . . would allow the Minister to order any regulated measure to deal with any animal or bird that is deemed a threat to fish or fish habitat. Bill 206 indiscriminately covers native and non-native species as well as natural habitat and fish farms. This bill is aimed at controlling increasing populations of double-crested cormorants and their predation on fish farms and lakes.

"Targeting the cormorant is a real red herring" says Dr. Richard Thomas, AWA spokesperson. "Studies done on Lake Winnipeg, and Alberta Fish and Wildlife Division's own data conclusively demonstrate that increased numbers of cormorants are actually a symptom and not the cause. The actual cause is human overexploitation of the province's fisheries."

The ecological process being demonstrated is:

- Over fishing removes large predatory fish such as walleye and pike;
- Baitfish populations, upon which the cormorants primarily feed, are "released" from predation and grow in numbers rapidly and
- Cormorant populations expand in response to the greater availability of [that fish which is their] food.

Then the release goes on to say:

"I wonder if [the MLA for Lac La Biche] has stopped to consider that fishermen and industrial development regularly affect fish and their habitat," stated Jillian Tamblin, AWA Conservation Specialist. AWA recognizes the need to conserve and restore Alberta's fisheries.

So they're not against the goals and the aims and the purposes of the bill, but they do say:

"Better management of fishing pressure, native fish stocks and habitat protection should be the core of any new legislation . . . Fish farms and ponds are not natural systems and need to be looked at separately," she says.

Mr. Chairman, attached to the Alberta Wilderness Association's release is scientific background information with graphs and with fairly convincing, persuasive scientific data, and part of this information deals with the decline in walleye catches. The graphs that are presented here show "the decline in walleye catches at Lac La Biche over the past 60 years, superimposed on pelican and cormorant nest counts from NE Alberta." They learned the cause of the collapse in fishery, but

the birds arrived long after the fishery collapsed and therefore cannot be implicated as a cause. Instead, they are a response to the decline of the aquatic predator (walleye) causing an increase and abundance of small fishes (prey items for walleye). The birds are feeding on this abundant prey source as a replacement for the lack

of a walleye predator in the lakes. It gets even more complicated. The small fishes (perch and shiners) are major predators on walleye fry. Increased small fish densities have resulted in heavy predation on walleye fry. If anything, bird predation on these small fishes is a benefit to walleye.

So that's one piece.

The other piece, Mr. Chairman, is sort of a control group and experimental group study. Again it says that the graph that is presented here in background information

demonstrates that fishing success is very high on the bombing range and very poor immediately adjacent to the range. Basically, this is a control-treatment experiment. Both areas have commercial fishing, cormorants, pelicans, low water, beavers and all other factors that people tend to blame for poor fishing success. The only difference is sport-angling pressure. Angler effort is low on the bombing range and high elsewhere. Success is high on the range and low elsewhere

as a result, so it's the angling pressure that accounts for decline rather than the number of cormorants and other predators in the area.

So, Mr. Chairman, let me look at some more information here. This is a letter that was written by the Alberta Wilderness Association to the editor of the Lac La Biche paper. It says:

Here's a riddle from Lac La Biche. Question: What's black and eats fish? Answer: A scapegoat.

To anyone who cares about protecting Alberta's environment, Lac La Biche . . . is reminiscent of one of those old horror movie series. Just when you thought it was safe . . . up pops another eco-illiterate, complete with a "Nature must be conquered" frontier mentality straight from the Dark Ages.

Is my time over?

3:30

THE DEPUTY CHAIR: Yes, hon. member. The 10 minutes allocated has run out.

DR. PANNU: I'll seek another opportunity. Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. Member for Dunvegan.

MR. GOUDREAU: Thank you, Mr. Chairman. It's my pleasure to rise again to speak to Bill 206, the Fisheries (Alberta) Amendment Act, 2002. This bill is needed in Alberta. It is one which will hopefully protect our fish species and the fisheries industry for many years to come. I would like to first address the amendments that have been proposed to this bill. These amendments are very simple. They provide clarity, and they are nothing more than an attempt to tidy up the wording of the bill. The sponsor is clearly very concerned that the bill is as well written and as clear as possible.

Bill 206 provides us with an opportunity to retain what pests have taken away. It is important that we note that it is not just the cormorants that Bill 206 targets but all pests that threaten our fish stocks around Alberta. Mr. Chairman, this weekend there was a report in the newspaper that said that cormorants are not to blame for the depletion of fish stocks in Alberta but that there were other factors more pressing. Well, that might be the case, but these pests are part of a very large problem in some parts of Alberta, and I would like to support a bill that will try to at least solve one part of the problem facing our fisheries. It is all too often that when people think that some sort of animal is becoming a target of control, environmentalists try to pin the blame on humans. Well, this time I disagree, and I place part of the blame for our depleting fish stocks on pests.

I don't think that cormorants are being used as a scapegoat but rather correctly identify a part of a proven problem, a problem that

Bill 206 attempts to fix. In fact, I would argue that the pests that threaten our fish stocks are a bigger problem than we think. I realize that some argue that the depletion of fish stocks is due to other things like overfishing or environmental factors. That might be true, but I can tell you that there are many dugouts in Alberta that have fish stocks that are not overfished or have environmental concerns but in fact are decimated by pests, mainly hard-to-control cormorants.

Mr. Chairman, I am pleased that nearly all of Bill 206 has stayed the same and that the proposed amendments are simply housekeeping. Further to this, I am pleased that the support for the bill seems to be very solid. I imagine that there are many members in the House who have seen the damage that pests do to fish stocks. One member gave an example in second reading of how the cormorants cleaned out his dugout of fish before his grandchildren were able to fish them out for themselves. Restocking a dugout is very costly, and farmers do not stock their dugouts to feed the rampant cormorants. They do it for their own enjoyment and food supply and not for the birds' supper.

Mr. Chairman, Bill 206 will hopefully put an end to one of the problems that those in the fishing industry are currently facing. Granted, there may be other things that must be done to save some of the industry, but this is a good step forward. I believe that most of those who live in a rural setting understand the problem that pests pose. They understand that there are many issues that wreak havoc on farms and any rural industry. Pests are something that can damage farmers' yearly livelihood in a matter of hours. Bill 206 gives a fish farmer a chance to defend his property. It gives the owner the hope that he will be able to fend off the wild beasts of the air that swoop down and clean out his fish, fish that would go to feed hundreds of people instead of thousands of mischievous birds.

The fishing industry in Alberta has the potential to be very large and very competitive, and I am sure that with the proper management the industry in Alberta will continue to head in that direction. I should say that it will thrive when the pests that threaten our industry can be properly dealt with.

This bill does not attempt to eliminate the pests entirely. What it does is put better control options on the pests. It is up to the Minister of Sustainable Resource Development to ultimately decide on what is a pest, but now the avenue of control will be available. Bill 206 is a solid and a very sensible piece of legislation. It does what many in the fishing industry ask of the government, and that is for better rules to control pests that threaten their livelihood. Many people in Alberta make a living in the fishing industry, and Bill 206 helps them protect their investment.

The amendments that we are debating here today are nothing more than simple housekeeping amendments that will strengthen this bill and make it clear. I would hope that all MLAs who have had a problem in their constituencies with pests threatening the fishing industry will vote for not only the amendments to Bill 206 but also for Bill 206 itself.

Thank you, Mr. Chairman.

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

DR. TAFT: Thank you, Mr. Chairman. I'll rise today to speak at this moment to the amendment and do so in the context of the whole bill. We've been debating this bill now for a couple of weeks and given it some thought. I approached the bill with an open mind, which astonished some members of the Legislature, and I have gone back and forth and back and forth, but the more carefully I read the bill and the amendment, the more uncomfortable I am with it. I'm concerned that the amendment does not address some issues that I see lurking in this bill.

In particular, we all speak about the cormorant and the threat that the cormorant poses for our fish stocks in Alberta, but the bill is not limited to cormorants. In fact, the bill doesn't mention cormorants at all. So I am concerned that this bill in fact is too broad and sweeping and that the amendments don't correct that. Now, if there was an amendment that came forward and specifically narrowed things down to the cormorant, I'd be pleased with that, but the bill reads, "when the Minister determines that a species of animal or bird is destroying or harming, or is likely to destroy or harm, fish or fish habitat," and it goes on from there. It's very, very broad, and it says that "the Minister determines that a species of animal or bird" – that is absolutely wide open. It's not limited at all to cormorants. I was uneasy, or unconvinced at least, about killing off cormorants. I'm very, very nervous about leaving the door wide open to any species of animal or bird except, as is wisely limited here, animals or birds that are endangered.

I think, for example, of other birds or other creatures that may be, in the normal course of their activities, damaging or threatening to damage fish or fish habitat. I spend a fair bit of time at lakes around this province, and I'm always delighted when I see osprey going back and forth just off the shoreline, a magnificent sight. I've been around the province long enough to remember when it was rare to see an osprey, and they've made a comeback. I'm sure this is not the intent of the Member for Lac La Biche-St. Paul in proposing this legislation, but in fact an osprey is a species of bird that destroys or is likely to destroy fish. That's how they survive.

3:40

I think about other creatures, the vast herds of buffalo that used to graze on this great prairie. They were so extensive, their numbers were so vast, that they created their own ecosystem. They in fact prevented the boreal forest from extending down over the prairie because they grazed so extensively. Now, somebody could have argued that they were disrupting the environment. These tens of millions of buffalo were destroying fish habitat and were disrupting streams and so on, and that could have been used to justify the killing of the buffalo.

Now, a more contemporary example, which certainly would fall within the scope of this bill as I read it, would be simply cattle crossing creeks. There is extensive evidence, many, many cases of cattle crossing creeks and really disrupting the fish habitat, in fact totally breaking down the streambeds. They'd fall under this bill potentially.

So those are a handful of examples of my concerns of why I think this bill is too sweeping and why I think the amendment is inadequate to contain the bill. When we leave a bill like this as wide open as we do, while our intentions today may be simply to address the cormorant, down the road we will be or may be enticed to interfere further to correct other issues. As we move in to counterbalance not just the cormorant but whatever comes after the cormorants, I'm concerned that we get drawn further and further and further into the very risky business of trying to actively manage an extensive wilderness ecosystem, and that's exactly what this bill would allow. I can imagine that a few years from now cormorants may be under control if this bill is passed. But some other creature comes along, and then we intervene on that case. Then we find that we have to compensate for intervening with that second creature by going after a third when what we really should have done is held back and let nature take its course, or, as so many others have mentioned here, we should have addressed the fundamental cause of the problem, which I don't believe is the cormorant.

This bill I think potentially opens a Pandora's box of wildlife management issues, and as we open that box wider, more and more

problems come out. Another way I thought of it is that it risks the kinds of dynamics that occur when you get a bad haircut – well, you may wonder what I'm referring to there – like the one I might have right now, some people say. For example, your barber or in my case my wife – she cuts my hair – maybe starts cutting on one side and she overcompensates, so then she goes back to try to correct it on the other side and overcompensates again, and pretty soon I don't have any hair left. The same kind of dynamic could actually occur – and I'm getting serious here now — as a result of this bill. We correct the cormorant problem, but it turns out that that leads us to correcting another problem, which means we have to correct yet another problem, and so it goes until we are in really deep.

So I'm getting increasingly uncomfortable with this bill, and the amendment – well, it does do what a couple of other members have said: it clarifies some issues. It makes perhaps a better use of language. It doesn't address what I see as a very substantial concern. So I'm afraid I will be opposing the amendment.

Thank you, Mr. Chairman.

MR. DANYLUK: If I can, I would just like to address a couple of questions as you referred to the amendment. I'd sure very much be concerned if you were getting in too deep. No. What happened, I would like to suggest, is that fish stocks are very much endangered. I think we all agree. If I can alleviate some of the concerns of the hon. Member for Edmonton-Riverview, this is not what I would consider open season on an animal. It has to go through the government minister's direction. This is also going to be brought forward in consultation with their biologists. This very much talks about the balance of the ecosystem.

I would also like to refer you to section 33.1(2), where it suggests that "'animal' and 'bird' do not include an endangered animal as defined in the Wildlife Act." I think that's very important as well so that we are not threatening animals or birds that could be under the endangered species.

I would like to also make a couple of comments to the hon. Member for Edmonton-Strathcona. He did make comments also in regards to I believe the amendments and one person's explanation of what is happening. I would also like to suggest that I have talked with that individual and have also seen the documentation that he has written, and that's Dr. Richard Thomas. I do believe that we agree on one aspect or maybe numerous aspects, that cormorants are not the only problem. When we refer to cormorants or pests, there have been a lot of things that have taken place that have depleted fish stocks. Without a doubt, not from the comments that he's making but from my comments in answer to you, drought has been one of them. The declining water levels has definitely been one of them. With the decreasing water supply what happens is that beavers have built dams on the mouths of rivers, not enabling fish to be able to spawn going upstream. The fish that we have in Alberta do not have the ability to jump beaver dams to be able to go spawn. So, I mean, that's definitely another problem.

You talk about commercial fishing and angling. We would be in a great situation ourselves, all of us in this room, if we had hindsight as a vision, but what happens is that we can only do what we can to try to better a situation. That is what we're doing right now with commercial fishing as far as rationalization. We are looking at different avenues to try to promote fish. This bill basically only addresses one aspect of it, and you're right. Okay?

I would just like to stress to the hon. Member for Edmonton-Strathcona again that Fish and Wildlife will be the controller of the balance under the direction of the minister, if that gives any ease to your concerns.

Thank you very much.

3:50

DR. MASSEY: I appreciate the opportunity to make a few comments about Bill 206, Mr. Chairman, and appreciate that what Bill 206 proposes is already possible through a variety of other laws that are in place in the province. But I think Bill 206 does really focus on a much broader issue that I don't think we have spent much time looking at in the debate so far.

If you look historically at the relationship between humans and the environment, there seems to have been a notion for hundreds of years now – our attitude towards human nature, I guess since medieval times, has been one of acquiring absolute mastery over nature; that is, we've assumed, with some successes in the Middle Ages, that we could control certain parts of the environment, that we could free ourselves from the scourge of epidemics and drought and various other catastrophes that befell mankind. The successes have grown of course with technology and advances in biology and other sciences, so we have really reached this point where if a pest comes along, like in this case the cormorant, and it threatens an industry, then the natural reaction is: well, if that's what's causing the problem, then let's get rid of it; let's find the best mechanism we can and eradicate the problem.

I think that that kind of attitude is one that is being increasingly re-examined. I think the role of the government in the management of species is being questioned, and it's being questioned for good reason. There's been mention of the endangered species that we have concern with now, and one of the former members said: well, you know, the cormorant isn't an endangered species. Well, neither were the peregrine falcons at one time, nor were the whooping cranes or the trumpeter swans or the burrowing owls. At one time they weren't on anyone's endangered species list, but they are now, and I think that what it points to are the mistakes that can be made if we don't think through carefully our actions before taking on the kind of wildlife management that Bill 206 asks for. I think that it's a question that is continually asked in the province and is going to be asked more and more in the future: how do you balance the management of species and the marketplace? Does the decision always come down on the side of the marketplace?

I remember a member in a previous session in this Legislature making the proposal that the province take on wiping out the gopher population in the province. It was a short-lived bill, as I recall it, Mr. Chairman, but I think again that it was indicative of the kind of thinking: if there's a problem and there's an economic downside to the activities of a certain species, then the solution is to get rid of the species or get them out of the way. Again, I think that that's being questioned more and more if for no other reason than that we have no assurance that today's actions are not going to result in tomorrow's problems. It's not just the action that might be taken with respect to the cormorant and the fish stock in the province. If, you know, the human action alone in terms of trying to alleviate the problem were all that was operating – we know, for instance, with some of the endangered species that we're not alone. We have multiple activities that affect wildlife.

Climate change is an influence on species in the north. Certainly industrial development has had a great impact on species and some species ending up on the endangered list. Herbicides have had a huge, huge impact. The promise was that herbicides were to bring nothing but benefit, and we find that because we didn't have the foresight to predict the long-term impact of introducing herbicides on a large scale, we ended up with problems that at the time when herbicides were first discussed I'm sure no one envisioned. The introduction of different plants and animal species, seemingly innocent at the time, in the long run has had some very negative

impacts on other species of plants and animals. In our own province the roads and power lines, the human activities have again had great influence on some species.

Bill 206 may provide an immediate solution to the problem. I'm not sure that even that's the case, but I'm even more worried about the long-term impact of this kind of activity, and I think that for those reasons, Mr. Chairman, I won't be supporting the bill.

Thank you.

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

MR. DANYLUK: Thank you, Mr. Chairman. I would just like to suggest that the concerns that you have brought forward are not short-term solutions. I believe it is not an isolated solution that we are after; I believe it is a balance that we are after.

Some of the discussion that was brought forward by the hon. Member for Edmonton-Glengarry when he talked about the ecosystem and the balance of the ecosystem I very much agree with. I guess the concern that I may have is: when did the ecosystem start, and where does it end? We know the end is today, because we have the present knowledge, but where did it start? Did the ecosystem start in the dinosaur era? Did the ecosystem start before there was civilization in North America? When did the ecosystem start, and what impact did we already as citizens of this country have on that ecosystem by commercial fishing, by angling? Right?

I believe that what this bill will do will enable some balance and some management, and I would say that that is one of the reasons that it is very much open. It does have some stipulations, as I spoke of before, of not including endangered species, because I think that that's very important.

Mr. Chairman, I think we have seen and we can all agree that the amendments proposed do not change the intention or the principle of the bill but ensure that the bill can achieve what it set out to in a clear and complete manner. I would encourage you to support the amendments to the bill.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Norwood.

MR. MASYK: Thank you, Mr. Chairman. It's an honour to join the debate in the Committee of the Whole on Bill 206, the Fisheries (Alberta) Amendment Act, 2002. We've listened to a great deal of debate about the need to control the population of predatory birds in order to effectively preserve fish populations in Alberta lakes.

Several members in this Assembly have described personal experiences relating to the behaviour of the double-crested cormorant and how the birds have decimated lakes and reservoirs in Alberta. The hon. Member for Lac La Biche-St. Paul knows more about the horrible effects of this bird than anyone else in the House, Mr. Chairman. I would agree with the other members of the Assembly about the need to implement controls to prevent this bird from causing more harm to Alberta's aquaculture and environment. This situation is getting out of hand in some areas of the province, and the role for this Assembly is to find a solution. The challenge for this government is to act in a serious and sensible way while fulfilling our role as protectors of both Alberta's environment and Alberta entrepreneurs.

4:00

The remedy proposed in Bill 206 is to allow the minister responsible for the Fisheries (Alberta) Act to use existing legislation to control bird species that are destroying or harming fish habitat. The bill has not suggested drastic measures, nor is it suggesting anything new. Mr. Chairman, the double-crested cormorants are destroying

and contaminating lakes and through their ruthlessness and predatory behaviour are undermining efforts to restore lakes damaged from overfishing. Albertans have the expertise and the resources to deal with these birds. The only thing that farmers need is a green light from this government to control the birds' exploding population.

The overall population trend of the double-breasted cormorant is significantly increasing. In 1967 there were only four colonies, totaling less than 200 nests, in Alberta. By 1980 27 colonies with 2,300 nests were documented. The total number of known nesting pairs in 1988 was estimated to be over 15,500 living in over 60 lakes in Alberta. Before the 1970s the population of cormorants was controlled inadvertently with the use of DDT. When decision-makers of the day came to the realization that DDT was terrible and harmful to the ecosystem, there was a ban put on its use, and about that time the government of the day undertook steps to restock fish supplies in the province and inadvertently provided the cormorants with a bountiful food supply. Mr. Chairman, Bill 206 will give the Department of Sustainable Resource Development a mandate to effectively prevent and manage the factors that have created the fish stock problems in this province.

Even though the bird problem described in this Assembly is a very important one, Bill 206 also deals with other issues that currently hinder a healthy development of Alberta's fish farming operations. Providing decent spawning routes will facilitate the natural ability of fish stocks to develop. This can only be maintained by proactively removing beaver dams that pose a problem for certain fish species' migration. Mr. Chairman, Bill 206 will help farmers deal with any problematic beaver dams.

I support Bill 206 and the facilitation of spawning waters that will help increase the fish population naturally, which will reduce the need for restocking measures that often carry substantial additional cost. In light of this drastic situation in Lac La Biche-St. Paul and the growing concern throughout the province, I agree that this legislation is a reasonable approach to an increasingly severe problem. However, I believe that we must also be careful with the implementation and management of this legislation should it pass. We must ensure that further pest control initiatives are as effective as past pest control agencies.

In essence, Bill 206 would amend the Fisheries (Alberta) Act in such a way as to clarify the responsibility of the Minister of Sustainable Resource Development to protect the fisheries resource through the minister's power to issue deforestation orders, remove beaver dams, and restrict fishing in certain areas. Although the minister currently has all these powers, Bill 206 would provide guiding principles to proactive, sustainable management of fisheries resources.

Mr. Chairman, if the department is able to re-establish and secure routes for fish spawning and prevent overfishing, then a large portion of the problem can be solved. However, these steps will not rectify the problems that certain lakes and fishing areas are facing. Taking legislative action to protect our limited fisheries from natural predators is a valuable first step in the strengthening of Alberta's recreational fishing and Alberta fish farms. Bill 206 would effectively complement this government's work of restoring and preserving fish habitats in Alberta. I would encourage all hon. members in this Assembly to support this important legislation.

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. Member for Grande Prairie-Smoky.

MR. KNIGHT: Thank you, Mr. Chairman. It's my pleasure to rise today and discuss Bill 206, and I believe that this is an important bill for conservation of Alberta's natural habitat and for ecological

balance. Bill 206 would allow the Minister of Sustainable Resource Development to protect Alberta's fish stocks and natural lakes from the predation and overpopulation of nongame birds.

The purpose of Bill 206 is to allow Alberta to better manage and balance the aquatic ecosystem between fish stocks and predatory consumption. Here in committee we have heard the sponsor propose an amendment to the bill which will not impact the intent of the important private member's bill. The bill continues to maintain its purpose, and that is to help maintain a balance in the environment which could very easily become out of control.

Presently Alberta is facing the overpopulation of a predatory pest who raids Alberta's fish stocks and destroys the banks and habitat of the shores around the area in which they nest and feed. The double-crested cormorant is a nongame bird, one that is unsuitable for consumption. It has few natural predators and even fewer here in Alberta. Its population has been rapidly increasing since the 1970s, and presently its population has exploded in Alberta.

At one time, Mr. Chairman, the double-crested cormorant was considered a bird in need of conservation and legislative protection in parts of the world. In the early 1970s the cormorant population was discovered to be drastically declining, and this water habitat bird was placed under protective watch and monitored by many governments and conservation groups around the world.

I think it's important to take note of the population patterns which have been developing in regions similar to ours. The double-crested cormorant in the Great Lakes region became threatened in the 1970s mainly because of PCBs being used in industrial practices. These chemicals were heavily used from the '30s to the '70s in industrial products and manufacturing until they were linked to various diseases and muscle disorders. These chemicals were found to be extremely harmful to humans and ecologically damaging in many aspects. They have, Mr. Chairman, been banned.

By the late 1980s and early 1990s many of the cormorant groups which had been monitored had doubled in numbers of nesting pairs. This rapid population increase was for the most part at that time considered good news to conservationists and bird lovers alike. The conservation programs had been a success, and the cormorant population seemed to be thriving once again. This rapid increase in the cormorant population was considered a good thing after the ban of PCBs because their presence proved that the quality and ecological standards of the industrial Great Lakes area was improving. Having the birds around showed that environmentally the region was in better condition.

However, populations continued to increase, and it became apparent in the early '90s that the Great Lakes region was developing a bird problem. Nesting pairs had exploded from 1,500 to 5,000, counted on one island alone. The cormorant population increased so significantly that a variety of problems began to be associated with the increases, including impacts on aquaculture, sport and commercial fisheries, natural habitats, and other bird species.

4:10

Mr. Chairman, conservation groups in the Great Lakes region, particularly on the U.S. side, have gone to great lengths to investigate the impact of cormorants on the fish population and effects on the environment around their nesting sites. There seems to be a pattern which follows the double-crested cormorant, which is demonstrated in extensive research done in cormorant control in the Great Lakes region. As environmental conditions improve, so too does their population, but their population improved to a point of overpopulation and explosive numbers in some areas, resulting in extensive degradation to the environment. Then the birds expand their nesting territory, and the pattern continues to move in an outward direction.

Mr. Chairman, this pattern has found its way to the beautiful environment of Alberta. The double-crested cormorant has migrated to Alberta's lakes and has already destroyed large areas of habitat and depleted fish stocks. There is need in this case to learn from others' experiences, and we realize that there is a need to react to the population that is exploding in Alberta before it destroys whole areas like it has destroyed whole islands in the Great Lakes region. As well, our fish reserves are an important part of Alberta's resources, and currently they are being threatened by a large and very capable fishing bird that has no natural predators in Alberta. We didn't see the problems that this bird would bring and the aquacultural imbalance it could create in our province 20 or 30 years ago because its population was kept in check by unnatural effects on its eggs.

Complete obliteration is not what Bill 206 is looking to accomplish. However, it is important to recognize that the minister needs to be given the ability to control this significant threat to Alberta's environment and aquaculture. Overpopulation by this nongame bird is a very real hazard to Alberta, and something must be done to ensure that it is controlled and doesn't become the destructive nuisance it is in the Great Lakes region.

I am in support of Bill 206 because I believe it will allow the minister to investigate ways to strike a balance that would be the natural rate of existence with this and other pests and save the environment, which is so important to all of Alberta. I encourage all of my colleagues to vote in the same interest and support Bill 206. Thank you, Mr. Chairman.

[The clauses of Bill 206 as amended agreed to]

[Title and preamble agreed to]

THE DEPUTY CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

The hon. Deputy Government House Leader.

MR. STEVENS: Thank you, Mr. Chairman. I move that we rise and report the vote on Bill 206.

[Motion carried]

[Mr. Shariff in the chair]

MR. LOUGHEED: Mr. Speaker, the Committee of the Whole has had under consideration and reports with some amendments Bill 206. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

THE ACTING SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? So ordered.

head: **Public Bills and Orders Other than
Government Bills and Orders
Third Reading**

Bill 205

School Trustee Statutes Amendment Act, 2002

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

MRS. O'NEILL: Thank you very much, Mr. Speaker. I rise today to make a few concluding remarks and to move third reading of Bill 205, the School Trustee Statutes Amendment Act, 2002.

I would like just at this point to indicate in summary that what the bill does is amend the Local Authorities Election Act in a very specific way by introducing the fact that an employee of a school district or division, a charter school, or a private school is not eligible to seek election on a school board unless that individual, the employee, "is on a leave of absence granted under this section," and that is the section that specifically indicates that an individual, the employee, upon nomination, must have sought a leave of absence.

I also want to indicate that there are two amendments to the School Act in this statutes amendment act. The first indicates that the only relationship deemed a conflict of interest in pecuniary matters is that of spouse. The other one indicates that every trustee upon election would be required to file with the secretary of their respective school district a disclosure statement. Of course, it would be understood that should circumstances change over the course of their tenure as trustee, individuals would, as we do for Assembly members, update it.

I would urge all members to vote in favour of Bill 205 because I believe it will accomplish two things. It will seek clarity and understanding for the rules. It will also create a greater inclusion model for the participation of all trustees when participating at the decision-making table.

Thank you.

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

DR. MASSEY: Thank you, Mr. Speaker. Just to make a few comments on third reading. I believe that it's an unnecessary bill, I believe that it's punitive, and I believe that it attacks a group of citizens and takes away their rights. I'm disappointed that it's before us at this time and that it hasn't been withdrawn. It is a private member's bill. Should it become a government bill, I think it would have a very negative impact, particularly on rural boards in the province, on the ability of those boards to recruit quality candidates who can contribute to the educational enterprise.

With those comments, Mr. Speaker, I would urge members to vote against this bill.

4:20

THE ACTING SPEAKER: The hon. Member for Bonnyville-Cold Lake.

MR. DUCHARME: Thank you, Mr. Speaker. I wish to add my comments on Bill 205, the School Trustee Statutes Amendment Act, 2002. I have concerns with this bill as it excludes a class of people, namely teachers, from participating in one level of our democratic process. With last week's amendment to this bill teachers may seek office as a school trustee if they obtain a leave of absence from their employer to run in the election. If successful in the election, they would then have to resign from their employment. This is a very high price to pay for a teacher who feels that they may be able to make a difference in our education system.

I served the Bonnyville-Cold Lake area as a trustee for the Lakeland Roman Catholic school district from 1986 to 1992. I received an honorarium from the board at that time for attendance at various board and committee meetings. I know that honorariums have increased in the past 10 years. However, they have not risen enough to provide one with an adequate income to maintain a pauper's lifestyle.

The amendment allows teachers to seek public office as school trustees. However, it made the opportunity available to only the very wealthy teachers or the very lucky teachers: those who may have won a lottery, quit their teaching profession, and now want to try their hand at politics. Chances of finding this type of individual to seek public office are rather slim to none.

Mr. Speaker, in last year's school board election a teacher and friend of mine sought a position for the Lakeland Catholic school board. This individual had taught for all of his career for the Lakeland board and had retired a year or so prior to last fall's election. Over the years he was very respected and appreciated by parents, students, board members, and the community for his teaching skills. This teacher did make a difference in the education of many students. On election night I had the privilege of attending a victory party at his home as he was successful in his first attempt at public office as a trustee for Lakeland Catholic. He was so successful that he topped the polls, supported by most voters in the west division of the school district, who felt that his past experience teaching for Lakeland Catholic would make a difference in the operations and policies of the Lakeland Catholic school board.

You might be wondering where I'm going with this. He is retired from Lakeland Catholic; therefore he qualifies to run as an elected trustee, according to Bill 205. I do not know the exact reason, however, that this teacher decided to seek other employment as a distance education teacher for home schoolers for another school district 130 kilometres away from Bonnyville. Therefore, if this bill that we are now debating should pass, he would be ineligible to seek re-election next time. How can I as the MLA for Bonnyville-Cold Lake deny this teacher that opportunity and the Lakeland Catholic school supporters the opportunity of re-electing this individual in 2004? The majority of the voters supported this individual in 2001, and it's up to these voters to support or not support him in 2004. Election day is report card day for all incumbents at all political levels by the voters and not by the individual MLA who will now decide this teacher's fate by supporting Bill 205, the School Trustee Statutes Amendment Act, 2002.

Mr. Speaker, I respect and support teacher Bob Kleinman as an individual, teacher, and school board trustee, as did those voters in October 2001. I ask the members of this Assembly to also support Mr. Kleinman by voting against Bill 205. As elected provincial officials we must also consider the wishes of our constituents who in October 2001 exercised their democratic rights to elect a teacher to their school board. They elected someone that they felt would represent them well in the education of their children and grandchildren. Allow these voters to decide if he did or did not represent them well as a member of Lakeland Catholic school board rather than letting this private member's bill make that decision.

In closing, Mr. Speaker, I urge all members to vote against Bill 205, the School Trustee Statutes Amendment Act, 2002. Thank you.

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

MR. RATHGEBER: Thank you, Mr. Speaker. It is indeed a pleasure to rise today and speak in favour of Bill 205 in third reading. Bill 205 would ensure that individuals who would face a pecuniary conflict of interest in the course of their duties as school trustees are prevented from seeking nomination and therefore election. This bill is not a slight against teachers – far from it – and it is not an attack on teachers. I feel that Alberta teachers do a very good job for our children, and they should be commended for the fine job that they do on a daily basis. What this bill does as amended is ensure that only candidates who are capable of fulfilling all of the obligations for which they are elected would be able to run for a trustee position on any school board in Alberta.

The government of Alberta, Mr. Speaker, delegates much of its authority for the governance of education to locally elected school boards. Decisions made by school boards include adopting an annual budget for the school system, planning and setting priorities for the jurisdiction in light of available resources, making policy to guide the administration of employees toward district goals, and adjudicating in policy disputes while communicating with the community and staff on behalf of that jurisdiction. All of these duties are delegated to local school boards. These responsibilities are extremely important, and when decisions are being made, the board must be able to have a meaningful debate among all of the members who were elected to that school board.

I understand that at some point there will be instances when conflicts of interest will arise and a member will have to excuse himself from that discussion. This is all fine if it happens only occasionally, but as the debate for this bill continues, we have heard many situations where these problems are repeated and multiplied to the point where one trustee is left to make crucial decisions entirely on his or her own. To me, Mr. Speaker, this is not acceptable. If you're elected, you should be available to make tough decisions and to make those decisions consistently. That is why Bill 205 was brought in: to ensure that school boards will have people running for a trustee position and will be available to sit and make those tough decisions.

Bill 205 proposes two excellent reforms to the school trustee act that span the Local Authorities Election Act and the School Act. The first amendment that the bill proposes would be that those elected to a school board will be able to fully participate in debate. The second amendment that Bill 205 proposes would provide clear and narrowed circumstances for pecuniary conflict of interest scenarios arising due to family relationships and financial matters that come before the board.

Bill 205 was brought in so that we could improve the performance of Alberta school boards by disqualifying potential trustee candidates who would likely face conflicts of interest and would have to abstain from important budgetary decisions and voting because of the fact that they are employees of that school district. Conflicts arise because many school board trustees are active teachers and a situation has come up where that employee suddenly becomes the employer. This, Mr. Speaker, is not acceptable.

Imagine, if you will, a board that has five trustees and of those five trustees three are active teachers employed by the province. At some point in the year budgetary decisions must be made. Now, on this board under current legislation three out of the five trustees must not partake in budgetary discussions and deliberations because they are in direct conflict. Therefore, if my math is done correctly – and I think it is – we have two out of the five trustees left to make a tough budgetary decision on the board. We cannot allow this to happen, Mr. Speaker. How can we justify to the voters of this province that we will allow someone to run for a school board position just to have them abstain from the most important decision that they are elected to make?

Bill 205 corrects this problem, and it does so by changing the rules of who can be eligible to sit on school boards. First, I think we need to be clear that anybody in Alberta can run for school board trustee. If you're eligible under the rules, including those in Bill 205, then you can run. However, if you are an employee of the Alberta education system, you must take a leave of absence from your job to be nominated, and if you win the election, you must resign from your previous job. The reason for asking employees of the Alberta education system to resign from their job if elected is so that they will be able to fully participate in the discussions and the debates that come to the school board table. They will be able to make

tough decisions, and they will be accountable for those decisions that they make. Bill 205 makes school trustees more responsible and accountable for their duties. Mr. Speaker, we must all remember that this bill enhances our school boards. As has been stated before in this debate, this bill will strengthen our school boards and will no doubt make our system stronger in the future.

Bill 205 also narrows the scope of individuals who are deemed to share a pecuniary conflict of interest with the school trustee to the trustee's spouse. Currently the School Act identifies trustees' children, parents, and the parents of their spouses within that category. Mr. Speaker, I believe that this is too broad and that we need to narrow the scope so that trustees can do the job that they have been elected to do.

Legislation, Mr. Speaker, currently allows the problem of abstention due to pecuniary interests to remain and to persist. It simply provides that trustees declare conflicts of interest and abstain from related proceedings. As well, it accommodates situations where the whole board is unable to participate by appointing a single official to assume the role of the school board. This is not acceptable, and it is time to step forward and correct this inadequacy.

4:30

Mr. Speaker, one aspect I'm very happy about in all of this is that I believe that the debate on Bill 205 has increased awareness of school trustees and the great job that they do in this province. Everyone in this Chamber believes that their trustees are the best and most committed people to have in charge of our education system. Bill 205 merely allows them to do the job that they were elected to do.

With that, Mr. Speaker, I believe that the changes Bill 205 brings to our school system are very positive. Trustees will fulfill their duties on a full-time basis, and our system will be strengthened. I urge all hon. members in this Assembly to vote favourably on Bill 205.

Thank you, Mr. Speaker.

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

MR. BONNER: Thank you very much, Mr. Speaker. I have just a few comments here on Bill 205. Again, I must agree with so many of the comments that the Member for Bonnyville-Cold Lake made earlier. What a great, great contribution so many of these people have made to the educational system here in Alberta over the years, and to think that with this bill they can be denied access without some great financial decision that they have to make in order to represent people – I will continue to argue very strongly against Bill 205.

Now, then, I do certainly agree with some of the amendments that now free up family members of teachers in continuing their role on school boards. I did have the chance to talk with a family member where the dad is a teacher; the mother sat on the school board for roughly 15 to 17 years in Mayerthorpe, a member of the Northern Gateway regional division No. 10. Because of her position on the school board she also had the opportunity to chair the Yellowhead Regional Library Board. I think what a great, great loss she would have been if this legislation hadn't been amended and she could not have sat on those boards. So I certainly do agree with the amendments.

The next thing here is that this is a very punitive bill, and it's punitive in that it does restrict representation of a certain segment of society. As well, it does limit the democratic process, and it limits who people in a community can vote for. Even though somebody is

a taxpayer that has all other qualifications, we are going to cut them out of the opportunity of being a school board member. It would seem to me that rather than introducing and debating a bill, a punitive bill which would limit some people's opportunity to serve on school boards without some financial hardship being introduced, there are other mechanisms that we could use in order to take care of situations the hon. Member for Edmonton-Calder mentioned, where two out of five people were eligible to debate budgetary systems. So there certainly are other opportunities.

As well, it strikes me as quite odd that in debating a bill of this nature, we never heard from the sponsor of the bill as to how many school boards in the province would have less than, say, 50 percent representation because of people occupying these positions. When we look at roles of trustees, the opportunities for there being a conflict of interest are certainly limited. They perform so many other duties, and certainly their wisdom and experience is of great importance. Particularly when we could constitute other mechanisms to handle situations where there is a conflict of interest, then I certainly cannot support this bill.

I think of my first term in the Legislature here, Mr. Speaker, when we had an hon. member from Calgary whose husband also sat on a health board. She would disqualify herself from those particular discussions that we had on the health board. We don't have any legislation limiting those people from seeking an elected representative position in this House, yet we're going to turn around and institute legislation, if this bill is successful, to do that to another group of people. Again, I certainly can't see how the courts would support a bill of this nature, particularly when we're not consistent with what we do in this Assembly with our members.

I would certainly urge all members not to support this bill, and I would urge that because it does disenfranchise one segment of our population, a segment that does have special abilities, that does have a great interest in education and certainly in the course and the history of education in this province has made a considerable contribution to our education process.

[The Speaker in the chair]

Again I thank you for the opportunity to speak to Bill 205 at this stage, and I would urge all members not to support this bill. Thank you.

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

MRS. ADY: Thank you, Mr. Speaker. I'm very pleased to have the opportunity today to speak to Bill 205, the School Trustee Statutes Amendment Act, 2002.

We live in an age where we place a premium on accountability. "The buck stops here" could almost be our motto, you might say. Beyond that, as a legislative body elected by our peers, we have made promises, both while running for office and since forming the government, that we must keep to our respective constituents and to all Albertans. Part of any such promise must include a commitment to steer clear of any conflict of interest, both those that are real and those that are perceived. As public servants we have to adhere to certain laws and regulations in order to avoid finding ourselves in a conflict of interest situation.

We are of course not alone in having to observe such laws and regulations. There is a long-time prohibition on what often is called insider trading on the stock market, for instance, and physicians cannot accept money from drug companies to prescribe particular drugs to the exclusion of others. Quite frankly, NHL hockey referees can't even work games in the same city they're from, and

that goes the same for off-ice refereeing staff. That's how far-reaching the concern of potential conflict of interest is in our society.

Mr. Speaker, school boards are no exception in this matter. Bill 205 takes a two-prong approach to streamlining the circumstances and conditions under which an individual can become and serve as a school board trustee. First, it narrows the limits on who may serve as a trustee, and secondly, Bill 205 nips in the bud any candidacy that might otherwise be plagued by conflict of interest, particularly those of a pecuniary nature.

With its amendment, Mr. Speaker, Bill 205 is now an even better bill than it was in its original format as it makes the nomination and the election procedures for school trustees fully consistent with the Local Authorities Election Act. Currently this particular act mandates that any municipal employee wishing to run for office must take a leave of absence without compensation prior to his or her nomination. In the event that the employee wins the election, he or she must resign from his or her position with the municipality.

At the present time, Mr. Speaker, many of the crucial provisions of the Local Authorities Election Act do not apply to candidates for school boards. At the present time, therefore, an individual can be an employee of the school and run for its school board in an election. Quite clearly this scenario opens up the possibility that a wide range of conflict of interest might arise.

4:40

If passed, Bill 205 would drastically limit the possibility of such conflict of interest by making a person ineligible to be nominated as a candidate for election as a trustee of a school board if on nomination day he or she is a school employee in whatever capacity of whatever school anywhere in Alberta. For instance, under Bill 205 a school employee living in, say, Sherwood Park would no longer be able to run for school trustee in Edmonton any more than he or she could run in Sherwood Park. But, differently, what can't be brought in through the front door won't be brought in through the back door either thanks to Bill 205.

Being a school board trustee is a task that carries with it significant responsibilities. To be sure, Mr. Speaker, it's a voluntary engagement, but beyond that, the person who is elected to the school board is entrusted with nothing less than creating and administering the best possible learning environment for our children. We already know that for a job fraught with such a high degree of responsibility, the pay isn't that great. Trustees tend to get compensated only for the time spent in meetings. Why, then, would someone want to be a trustee? This is a job that not only involves a lot of responsibility, but it also involves making tough decisions, decisions which from time to time a lot of people will not like.

The reasons why someone would run for a position as a school board trustee are probably as widespread and as many as there are trustees, Mr. Speaker, but I think that aside from the strictly personal there is a core value that is shared by all trustees. They really care about public education, and they're really concerned that children in public education get the high-quality education that they deserve. True, to be a school board trustee does not empower someone to shape the curriculum, nor does it bestow upon someone the responsibility to determine how knowledge is transmitted from teacher to student. That said, school board trustees are given wide latitude in a variety of arenas, and chief amongst them are policymaking, communication, and finances.

The public is most keenly aware of the work of school board trustees when their local school board votes on the budget. However, they do not make these budget decisions in a vacuum. In a sense it's fair to say that the school board trustees act as referees when it comes to the budget. Teachers and principals have their

particular areas of concern, and parents have theirs. To mitigate, the trustees come and visit the schools, ask questions, hold public meetings, and then make their decision on what gets funded and by how much.

Mr. Speaker, by establishing restrictions on who may serve as a school board trustee, Bill 205 would also limit the number of occurrences when due to pecuniary interests a trustee must recuse himself or herself from deliberations. Moreover, Bill 205 would establish parameters around the specific kinds of circumstances that would automatically be deemed in conflict for reasons of pecuniary interests.

This bill makes a lot of sense to me. By passing Bill 205, we would make the regulations for school board elections consistent with other kinds of elections that occur from time to time in all municipalities. Clarity, I think we can all agree, is good, Mr. Speaker, and particularly so when it might help us to avoid conflict of interest or perceived conflict of interest. Considering that trustees of school boards tend to wear three different hats – that of policymaker, communicator, and those in charge of the purse strings – it is vitally important that they and their on-the-job performance be squeaky clean. We all know that regardless of how ill-formed a perception might be, it often sticks.

Undoubtedly conflicts of interest will occur in the future just as they have in the past. Bill 205, however, will go a long way in trying to prevent situations such as those that arose in the Northern Lights public school division and the Medicine Hat public school division. We've already heard how many trustees had to recuse themselves in each situation. The numbers themselves may be appalling, but what is an even greater source of concern is that in recusing themselves, they were not able to fulfill the trust that their constituents had placed in them by voting for them. That is why it's imperative that all of us who hold public office at whatever level avoid conflict of interest, real and perceived, whenever possible.

In the case of trustees and school boards the code of ethics of the Alberta School Boards Association states unequivocally that a trustee will

resist every temptation and outside pressure to use [his or her] position as a school board member to benefit either [himself or herself] or any other individual or agency apart from the total interest of the school jurisdiction.

Mr. Speaker, our constituents, be they young or old or in or out of school, deserve Bill 205, and I urge all of my colleagues to vote in favour. Thank you.

THE SPEAKER: The hon. Member for Medicine Hat.

MR. RENNERT: Thank you, Mr. Speaker. I'm pleased to spend a little bit of time discussing Bill 205. As some members may know, I did speak to this bill at committee stage, and at that time I expressed I guess it could be best stated as cautious support for the bill. I recognize that there are some issues. I enunciated at that time the issue with respect to the Medicine Hat board from my perspective as the Member for Medicine Hat, and I recognize that the Member for St. Albert has a very legitimate concern that needs to be addressed.

I guess the concern that I have – and in the ensuing days since I last spoke I have had some of my concerns somewhat alleviated, but Mr. Speaker, as you well know and as all members know, in this world nothing is black and white. It sure would be nice if it was. It sure would be nice if we could know that the issue at hand, the problem that we've enunciated, will be solved for all time by passing this bill. Unfortunately, that's not necessarily the case. On the other hand, I think this bill goes a long way toward solving that problem, and if we discover after the bill goes into practice that there are other

issues that were not addressed by this bill or that there are further interpretations of this bill that do not necessarily conform to the wishes of the House and the understanding the members had during the debate on the bill, then I think that we have at least moved the yardsticks along.

One of the things that concerns me, Mr. Speaker, about the debate that we've had on this bill is the constant reference to teachers. I'm not concerned about reference to teachers. What I'm concerned about is the fact that the bill does not address itself specifically to teachers. It addresses itself to employees of school divisions. I think that's a significant difference. There's been the assumption that this refers to teachers, but it also refers to administrators. It refers to support staff and everyone else who is employed. While we've heard arguments about whether or not teachers should or should not be eligible to serve, I don't think anyone would argue that administrators would be even less in a position to be eligible for standing on school boards.

So that's where I get to my comments about black and white. The issue, no matter what we discuss in this place, always seems to be various shades of gray. I'm going to, as I said before, support the bill. Although I see this not as entirely white, not as entirely fixing the problem at hand, I think it's decidedly moved away from the black side. It is a very light gray. I think it resolves the problems as best we can, and if it doesn't, we can always deal with that at a later point.

So with that, Mr. Speaker, I'll take my place.

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you, Mr. Speaker. I want to say that the advice I was given was to stand on my chair, but I'm pleased to say that I am standing on the floor. I would like to rise to speak against Bill 205.

I spoke to citizens in Fort McMurray who belong to school boards, and quite simply, also, I spoke to citizens and teachers, and the input I received is that they believe that things are not broken and leave them alone. I would like to say that I believe that no matter what background a trustee or a teacher brings, they obviously, as all members of this Assembly would agree, want to serve the best interests of the public. The hon. Member for St. Albert, who's brought this important issue to the floor, I think, though, should be recognized for the important points that she has raised. In dealing with a conflict of interest, obviously her intention – and I do not at all question the spirit of what she's attempting to do – is to look at conflict of interest areas that can be avoided in the future.

4:50

I do believe, though, that there are ways to be able to deal with the conflicts of interest, be it at a municipal council or be it at a school board council, without having to go to this Bill 205. In my discussion, in my background as a teacher, both my wife and I, I can say – and I know that some hon. members in this Assembly who have similar backgrounds have served in some instances where they in fact belonged to one board and actually worked for another board, and ultimately they would not be able to contribute because they would be forced to take a leave of absence.

I think the financial restrictiveness of this could present some problems. As was mentioned by some other members in here this afternoon, unless you won the lottery, you may not be able to participate. I believe that Bill 205, based on the situation that is presently in my constituency – we have had many citizens who in fact work for one school board and actually then serve in an elected capacity in another school board and do a very good job, and I can

say without fear of contradiction that it works very well.

I don't want to lose the intent of what is being attempted to be achieved here, but at this point based on what citizens have talked to me about, I'd like to say that I'll speak against Bill 205 at this time. I think the contribution of be it teachers or be it other citizens, no matter what board they work for or in fact serve in their elected capacity, serves democracy well. Consequently, I will not support Bill 205 at this time, but I thank the hon. Member for St. Albert for having a very, I think, spirited debate on an important topic and serving citizens of all Alberta.

Thank you.

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

DR. PANNU: Thank you very much, Mr. Speaker, for recognizing me. I'd like to speak on Bill 205 in its third reading. The last time I spoke on this bill was on April 8, and I laid out in some detail my reasons for opposing this bill. The bill has since been somewhat amended, but the primary objections that I had to the bill stand, and the hon. Member for Bonnyville-Cold Lake has iterated those concerns quite eloquently.

I think the bill really in a sense is trying to address a problem that doesn't exist except in theory and potential, and we can always think of things that might happen. It will disenfranchise or certainly discourage not only 32,000-plus teachers in the province, who do such a wonderful job in serving our public education system and hundreds of thousands of our children in hundreds and hundreds of communities, but it also will take away from many other employees the opportunity to run. So it will affect 30,000-some teachers, their spouses, and if you include all the other employees who will be affected, the count is into hundreds of thousands, and I think the bill goes too far in trying to secure some concern that should be addressed with respect to conflict of interest in so doing. I think there are easier ways, less extreme ways in which the matter of conflict of interest, whether it has to do with an employee working for a school board running for a school board position or an employee or a nurse or a doctor working for a health authority – you know, it has to deal with that, ways in which those matters can be addressed without taking away from such a large number of people the opportunity to run unless they are willing to pay a heavy financial cost, in this case now.

It's a bill that has received considerable debate in this House. The bill comes at a time, Mr. Speaker, with all its faults and the perceived threat as seen by teachers, administrators, educational administrators, and other school employees of their ability to run, an attack on their rights – teachers see it as an antiteacher bill. It's certainly antidemocratic in my judgment. In a House which symbolizes our democratic rights, which is here to protect those rights – for this House to be asked to pass a bill that in fact will limit those democratic rights quite severely for a particular group of people who serves our education system I think is simply something that we shouldn't even think of proceeding with, but here we are with this bill. It's before us. As I said, Bill 205 received some considerable debate, a discussion on it, a debate on it. It may have been drafted long before Bill 12 was drafted. Bill 12 has caused very serious damage to the relations between teachers and the government.

The Member for Airdrie-Rocky View, in relation to her comments on the debate on the estimates for the Department of Learning, drew the attention of those broken relationships and that the government has to make special attempts to repair those. This Assembly has that responsibility as well. Bill 205 is a private member's bill. This Assembly should ask the question of whether or not the passage of this bill will hinder the healing of that broken relationship just as the

hon. Member for Airdrie-Rocky View the other night raised a similar question while we were debating the budget for education under the Department of Learning.

Mr. Speaker, I wish I could support this bill, because the one redeeming feature of the bill is that it narrows the class of people who are now identified as having a potential pecuniary conflict of interest and argues on that basis that it is this group of people that are the ones who should be not allowed to run for school board office unless they meet some very stringent conditions. That's the good part of it. I wish I could vote for that part and still see the rest of the bill defeated. That is not possible.

Mr. Speaker, I have carefully thought about this bill, reflected on it. I would like the hon. Member for St. Albert to have some time to further reflect on the bill; so do the rest of us. In light of that, my desire that we have more time, give ourselves more time, I would like to move that the motion for third reading of Bill 205, School Trustee Statutes Amendment Act, 2002, be amended by striking out all the words after "that" and substituting the following:

Bill 205, School Trustee Statutes Amendment Act, 2002, be not now read a third time but that it be read a third time this day six months hence.

I have a copy of the motion to be distributed, Mr. Speaker. I would like to have that motion distributed now.

THE SPEAKER: Well, all hon. members heard the words of the amendment. The chair will view that as a hoist amendment, and debate will now proceed on the amendment, which is a hoist amendment, and the debate will be restricted to the words of the amendment.

5:00

SOME HON. MEMBERS: Question. [interjection]

THE SPEAKER: I'm sorry. Some hon. member said something but did not rise. The hon. Member for Edmonton-Glengarry on the hoist amendment.

MR. BONNER: Yes. Could we see the amendment first?

THE SPEAKER: Yes. In all fairness to all hon. members it must be circulated. We'll wait until that's done.

Hon. members, there is a document that's being circulated, and basically it says that it's being moved by the hon. Member for Edmonton-Strathcona that the motion for third reading of Bill 205, School Trustee Statutes Amendment Act, 2002, be amended by striking out all the words after "that" and substituting the following:

Bill 205, School Trustee Statutes Amendment Act, 2002, be not now read a third time but that it be read a third time this day six months hence.

So whatever debate that will follow now will be on this amendment, restricted to this amendment only.

HON. MEMBERS: Question.

[The voice vote indicated that the motion on the amendment lost]

[Several members rose calling for a division. The division bell was rung at 5:03 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Bonner	Nicol	Taft
Massey	Pannu	

Against the motion:

Ady	Hlady	Melchin
Amery	Horner	O'Neill
Boutilier	Jablonski	Rathgeber
Cenaiko	Jacobs	Renner
Danyluk	Johnson	Snelgrove
Dunford	Knight	Stelmach
Forsyth	Lord	Stevens
Friedel	Lougheed	Strang
Goudreau	Lund	Taylor
Graham	Masyk	VanderBurg
Haley	McClelland	Vandermeer

Totals: For – 5 Against – 33

[Motion on amendment lost]

THE SPEAKER: According to our rules, we must now proceed to put the motion for third reading before the Assembly. However, I'm going to recognize the hon. Member for Edmonton-Mill Woods as a result of some consultation that occurred in the last few minutes.

DR. MASSEY: Thank you, Mr. Speaker. I would move that should there be further standing votes on this bill, there be a one-minute division bell.

THE SPEAKER: Such a request, hon. members, requires unanimous consent. Would anyone in the Assembly be opposed, should there be a division, that the bells ring for only one minute?

[Unanimous consent granted]

[The voice vote indicated that the motion for third reading carried]

[Several members rose calling for a division. The division bell was rung at 5:17 p.m.]

[One minute having elapsed, the Assembly divided]

For the motion:

Ady	Hlady	Rathgeber
Amery	Horner	Renner
Cenaiko	Jablonski	Snelgrove
Danyluk	Lord	Stelmach
Dunford	Lougheed	Strang
Forsyth	Masyk	Taylor
Goudreau	McClelland	VanderBurg
Graham	O'Neill	

Against the motion:

Bonner	Jacobs	Nicol
Boutilier	Knight	Pannu
Ducharme	Lund	Stevens
Friedel	Massey	Taft
Haley	Melchin	Vandermeer

Totals: For – 23 Against – 15

[Motion carried; Bill 205 read a third time]

5:20

head: **Public Bills and Orders Other than Government Bills and Orders**
Second Reading

Bill 207

Alberta Wheat and Barley Test Market Act

[Debate adjourned April 29: Mr. Horner speaking]

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

MR. HORNER: Thank you, Mr. Speaker. I just would like to conclude my comments by simply saying that the family farm in Alberta is extremely important to Albertans, and creating more value-added in the province is the saviour of the family farm. I believe that by allowing choice, we will accomplish that.

Thank you very much.

THE SPEAKER: The hon. Member for Calgary-Mountain View to close the debate.

MR. HLADY: Thank you, Mr. Speaker. I'd like to say thank you to all hon. members for their good discussion and full debate on the issue. The one point that I would like to make to the Member for Edmonton-Strathcona is that there will be no new board out of this. I don't think he understood at the time that this would not be creating a new board. Bill 207 does not eliminate the use of the Canadian Wheat Board. Rather, it seeks to offer choices to our farmers and allow them the options to work in a free market and have the choice of doing what they want.

The one regulation that I could possibly see coming forward at this time would be that there would have to be an opt-in time. So possibly around January 1 every year the farmers would have to make a choice whether they're opting in, using the Canadian Wheat Board as a marketer, or opting out and allowing themselves to do their own choices.

Mr. Speaker, I've had a couple of responses. The Western Barley Growers Association – I have a tabling that I will put forward with the appropriate number of copies – has said a little bit in regard to this bill:

“Alberta farmers will have the opportunity to become full participants in the Alberta advantage with the passage of this bill,” said Albert Wagner, President, Western Barley Growers . . . commenting on Bill 207.

Also, the chief agricultural critic for the Alliance, Howard Hilstrom, has put forward a letter that has said that.

So, Mr. Speaker, I will table those letters and look forward to calling the question.

[Motion carried; Bill 207 read a second time]

THE SPEAKER: The hon. Deputy Government House Leader.

MR. STEVENS: Thank you, Mr. Speaker. I move that we call it 5:30 and adjourn until 8 o'clock this evening.

[Motion carried; the Assembly adjourned at 5:23 p.m.]

