

## Legislative Assembly of Alberta

Title: **Wednesday, May 8, 2002**

**1:30 p.m.**

Date: 02/05/08

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon and welcome.

As we pray, let us also commemorate Victory in Europe Day with the words of Winston Churchill given in London on May 8, 1945.

God bless you all. This is your victory! It is the victory of the cause of freedom in every land. In all our long history we have never seen a greater day than this. Everyone, man or woman, has done their best. Everyone has tried. Neither the long years, nor the dangers, nor the fierce attacks of the enemy, have in any way weakened the independent resolve of the British nation. God bless you all.

Amen.

Please be seated.

head: **Introduction of Guests**

THE SPEAKER: The hon. Member for Peace River.

MR. FRIEDEL: Thank you, Mr. Speaker. Yesterday morning a number of northwestern MLAs met with the Persons with Developmental Disabilities, northwest region board of directors, and unfortunately because they had to continue the board meeting, they were not able to join us in question period yesterday. Of course, some of them had to travel home last night. One member, however, was able to stay over, and I would like to recognize her as a representative of the PDD board for the excellent work that they do in our area. I would like to introduce to you and to the members of this Assembly Helen Ficocelli, who is seated in the members' gallery, and ask her to rise and receive the traditional warm welcome of the Assembly.

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

MR. SNELGROVE: Thank you, Mr. Speaker. It's indeed a pleasure for me to have another classroom to introduce to you and through you to the members of the Assembly today. These special kids are from Kitscoty in my constituency. There are nearly 47 of them in the members' gallery. They are accompanied today by their teachers Judy Gerich, Kim Aitken, and Bev Toullelan. Their parent helpers are Paulette Williams, Rena Gramlich, Debra Smith, and Kathy Jeffrey.

Before I ask them to rise, Mr. Speaker, I would ask you to convey our appreciation to your people in the Assembly that work so hard to show these students around the building for this particular session and the many. They do such a great job of being our ambassadors. So I hope you will convey to them our appreciation.

At this time I would like all the students to rise and accept the warm welcome of the Assembly.

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

MR. HORNER: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to the members of the Assembly two ladies who have gotten very comfortable at telling me where to go: my legislative assistant, Shelly McCrae, who is also the Member for Dunvegan's legislative assistant; as well as my constituency assistant, Carol Stewart. With them is our STEP student this year,

Kathy Stachniak, who has joined the ranks to help out for the summer. Currently she is enrolled at Grant MacEwan College in management studies and is a graduate of Spruce Grove composite. As all members know, our jobs could not be done as effectively as they are without the help of people like these working behind us. They are seated in the public gallery, and I would ask that they please rise and receive the traditional warm welcome of the House.

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

MR. LUKASZUK: Thank you, Mr. Speaker. It's indeed a pleasure to introduce to you and through you to the members of this Assembly three severely overworked and somewhat underpaid Albertans. Those would be my constituency office manager, Miss Cherry Robinson; my legislative assistant, Miss Barbara Letendre; and my STEP student, Mr. Robert Majeed. I would like them to rise and receive the traditional warm welcome of this Assembly.

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

DR. TAFT: Thank you, Mr. Speaker. It's my pleasure today to introduce a well-treated and well-respected employee of my office. I'd like to introduce him to the Assembly through you. He's working in my Edmonton-Riverview constituency office for the summer months, and his name is Adam Pommer. Adam has completed his third year of studies in the political science department at the University of Alberta with a minor in English. I'd like to welcome Adam and ask him to rise and receive the traditional warm welcome of the Assembly.

Thank you.

THE SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to the Members of the Legislative Assembly Ilke Colakoğlu, who is in our province on a one-year student exchange from Turkey. He is sponsored by the Rotary Club of Morinville. Accompanying Ilke is Connie Lewis, who is one of the hosts from a number of Rotary families that Ilke will be staying with throughout the year. They are seated in the members' gallery. I would ask them both to rise and receive the traditional warm welcome of this Assembly.

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

MRS. O'NEILL: Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to members of this Assembly Ania Dudek, who is also an exchange student, from Lublin, Poland, who is visiting our province for one year. The St. Albert-Parkland Rotary Club has sponsored her, and she is joined today by Ilke and Connie, who were formerly introduced by the Member for Redwater. She is visiting the Legislature and is seated in the members' gallery. I would ask her to please rise and receive the warm welcome of this Assembly.

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

DR. PANNU: Thank you, Mr. Speaker. I take this opportunity to introduce to you and through you to the House three highly valued and very special individuals, all of them sitting in the public gallery. They are Signe Ziegler, a Calgarian, a political science and economics degree graduate from the University of Calgary who is currently working in our legislative office; Rosalie Anderson with a bachelor's

degree in social work from the University of Victoria and a Grant MacEwan College social work graduate, who is doing a wonderful job of managing my constituency office in Edmonton-Strathcona while I toil in this House. The third person is Kristy Harcourt, bachelor of arts, honours, University of Alberta, who has worked with many nongovernment organizations including the Gay and Lesbian Community Centre of Edmonton, and she'll be working in my constituency office over the summer months. I would now ask all three of them to please rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Minister of Seniors.

MR. WOLOSHYN: Thank you very much, Mr. Speaker. I'm honoured to introduce to you and through you to the Assembly two young ladies. The first one is Jill Jespersen, who is spending her second summer working in my constituency office under the STEP program. In April Jill graduated from Peace River Bible Institute and is planning on taking the licensed practical nursing course. She will be taking some time off from the office this summer because she'll be spending three weeks in the jungles of Ecuador to help build a school. She is accompanied by my constituency assistant, who has been with me basically since I got elected, Carol Guenette. I'd ask Carol and Jill to please stand and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you, Mr. Speaker. As part of the public service orientation tour which your office organizes, it's my pleasure today to introduce some public service folks from Municipal Affairs, financial and information technology services. We have with us today Yvonne Arnold, Paulette Takacs, Janna Lloyd, Aaron Nissen, and Rubena Hassan. I'd like to ask them to rise and receive the warm welcome of this Assembly.

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

MR. HANCOCK: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to members of this Assembly two young women who work in my constituency office. Cindy Ho-Pasichnyk, my constituency assistant, is the enthusiastic and expert person who provides most of the advice and help to constituents of Edmonton-Whitemud and is the very pleasant voice that you hear on the phone in our office. She is accompanied today by Stephanie Wilson, a STEP student who has recently joined our office and will be working with us over the summer. They are seated in the members' gallery. I'd ask that they rise and receive the traditional warm welcome of the House.

1:40

THE SPEAKER: The hon. Minister of Environment.

DR. TAYLOR: Thank you very much, Mr. Speaker. Once again, as part of the tour that you have encouraged employees to do, to visit the Legislative Assembly and learn about what happens, we have 11 members from Alberta Environment here. They are the strategic direction part of our department. They are the good thinkers in this department that keep us all on the straight and narrow. I'd ask them all to stand and receive the warm welcome of the House.

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

MS KRYCZKA: Thank you, Mr. Speaker. I am very pleased to introduce to you and through you to this Assembly this afternoon two very capable members of the Seniors Advisory Council for Alberta. I would have to say that both of them in earlier careers have been very successful educators. They have traveled here today to meet with the Minister of Seniors regarding a council proposal for a supportive housing option for seniors. Would Carol Blyth, member from Calgary and area region, and Dennis King, member from southern Alberta region, who lives in Lethbridge, please rise and receive the traditional warm welcome of this Assembly.

head: **Oral Question Period**

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

### Electricity Pricing

DR. NICOL: Thank you, Mr. Speaker. Yesterday the Premier reported selective price comparisons for the wholesale price of electricity in the Power Pool without explaining why total bills are still more today than they were before deregulation. The examples used by the Premier can be misleading to Albertans who are trying to understand why their power bills cost more. My question is to the Premier. Why did the Premier suggest that all electricity costs in the April Power Pool averaged 4.5 cents per kilowatt-hour when there is not a single retailer in Alberta charging only 4.5 cents per kilowatt-hour? The contracts are all higher than that.

MR. KLEIN: Mr. Speaker, my answer was based on the best information I had at that particular time. I think that what we need to do is keep our eye on the big picture. The simple fact is that deregulation is working. When you move from one system to another, you can expect some bumps along the way, but as I said at the outset, let's keep our eye on the big picture. Over the long term as the market develops, we can expect to see increased power generation. As a matter of fact, we are seeing that already with significant new megawatts of power now coming onstream. We can see over the long term better customer services. We can see over the long term a downward pressure on prices, and we can see more options for consumers. That's what the big picture is all about.

Power prices, contrary to what the Leader of the Official Opposition says, have already started to come down since regulated times. Again I'll quote the figures that I have from the Department of Energy. In the year 2000 the average wholesale price was 13.3 cents per kilowatt-hour, compared to 7.1 cents in 2001, albeit with the rebate, and 3.8 cents per kilowatt-hour so far this year on average, Mr. Speaker.

There are some problems in some areas of the province, particularly the west-central area where service charges associated with electricity bills are higher than normal. Both the ministers of Energy and Government Services are looking into this matter. Yesterday, I understand, there was a meeting with the Alberta Energy and Utilities Board, and I believe that Thursday or Friday this week there will be a meeting with the power companies to get to the bottom of this.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. If the prices are going down, can the Premier explain why the current regulated rate option, which is based on the old cost of electricity structure, is cheaper than any of the current contracts offered by the marketers in this province?

MR. KLEIN: Well, Mr. Speaker, that's an option we offered in terms of letting consumers have the option to stay on a regulated rate over a specified period of time – I believe it was five years – but I believe firmly that when that five-year period is over and we're in a completely deregulated environment, then market forces will have prevailed and prices will be lower. That is my prediction.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Doesn't that information confirm that if you have a cost-based structure for determining your price of electricity, it's cheaper than a market base that deals with marginal cost pricing?

MR. KLEIN: Mr. Speaker, I don't know of any incidents where a monopoly-controlled or a state-controlled situation necessarily leads to competitive pricing. It's always been the philosophy and policy of this government and, I believe, of the Liberals to some degree that the market should prevail, and competition generally brings prices down.

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

#### Unsigned Memo

DR. NICOL: Thank you, Mr. Speaker. According to government policy cabinet approval was required for the sale of the Holy Cross hospital. Through FOIP the opposition obtained a copy of a memo from the then Minister of Health and Wellness, Mr. Jonson, to the Premier recommending the proposed sale of the Holy Cross hospital. This memo is not marked as a draft and has a file number. However, this memo is not signed, is not dated, and is not on letterhead. My questions are to the Premier. Can the Premier explain why a memo from a minister of the Crown to the Premier and members of Executive Council involving a multimillion dollar deal was left unsigned, undated, and was not on letterhead?

MR. KLEIN: Mr. Speaker, I have no idea whatsoever, and I don't even know if the memo was sent. I would have to see it. Is it typed? Is it handwritten? I have no idea. Perhaps the hon. leader of the Liberal opposition would be courteous enough to send it over so I can have a look at it and perhaps provide him with an answer.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. It was sent to the Premier's office on Monday. He's had it since then.

Is it typical procedure for memos involving multimillion dollar deals to be sent unsigned, undated, and not on letterhead when you're dealing in cabinet?

MR. KLEIN: Mr. Speaker, if it was sent on Monday of this week, I have no recollection of receiving an unsigned memo written by some anonymous person. Perhaps the hon. Leader of the Official Opposition would send the memo or the piece of paper over so I could have a look at it.

THE SPEAKER: The hon. leader. [interjections] The hon. leader. [interjections] The hon. leader. Three times. Please.

DR. NICOL: Thank you, Mr. Speaker. I just wanted to make sure that the Premier had a chance to look at it again. It does have the

minister's name at the bottom. It is written to the executive, to the Premier. My question again is: is it normal process for letters to be sent from one minister to Executive Council without signature, without a date, and without letterhead? It was received through FOIP from the minister's office in the data that they provided to us. It must have been delivered.

1:50

MR. KLEIN: Mr. Speaker, I haven't seen this document. Perhaps it went to Peter Elzinga. I don't know. You know, it's not dated. [interjections] Right. You know, it's . . .

THE SPEAKER: Why don't we move on to the third question. Third Official Opposition main question. The hon. Member for Edmonton-Riverview.

#### Holy Cross Hospital

DR. TAFT: Thank you, Mr. Speaker. The government's own policy on the sale of property owned by health authorities requires assurance that the property being sold "would not be needed for health care delivery in the future." Similar restrictions were made perfectly clear to all parties bidding on the Holy Cross hospital. The bidder that was ultimately successful in buying the Holy Cross was originally rejected from the shortlist of finalists because it failed to respect this policy, but this bidder was allowed back into the process, bought the hospital, and within weeks of signing the bill of sale had a deal with the CRHA paying for surgical services, a contradiction of the terms of the bid process and of government policy. To the Premier: how can the Premier justify this process when one set of rules was applied during the bidding and those same rules were then ignored once the successful bidder was announced?

MR. KLEIN: Mr. Speaker, I'll remind the hon. member that there was a process put in place, and it was completely arm's length from the government. This sale was completely managed by a disposition committee made up of city councillors, clergy, community leaders, and Calgary RHA representatives. I see that the hon. Member for Calgary-Currie is not with us, but certainly he was on the committee as the city councillor for the ward in which the institution was located. Their stated preference, according to my discussions with him and RHA officials, was to have the site sold to someone who would use it for health-related services. Of three offers received, the committee accepted the highest offer. While the Liberals might think the price should have been higher, there's an old rule in real estate that says that the value of a piece of property is really what people are willing to pay for that piece of property, and for that site we received the most that people were willing to pay. Looking at what has happened on that site, that facility now houses a multitude of health services, including long-term care beds, a pain management clinic, several eye doctors, psychiatric services, and others. So I think the people of Calgary are getting a great deal of value for the sale.

DR. TAFT: I should remind the Premier that it's government policy that cabinet approves, government approves the sale.

Given that the losing bidders said that they were shocked – and that's a quote – to learn that the disqualified bidders won the process, why were the original finalists not allowed to resubmit their proposals under the same terms offered to the winning bid?

MR. KLEIN: Well, Mr. Speaker, I would think that the hon. member ought to sit down with the disposition committee or those members

who are still around, understanding that he's going back about – what? – six years now. I think it was in 1996 or 1997 when this negotiation took place, when this disposition committee was in place. I mean, a number of things have changed since then. The city councillor who was on the disposition committee is now an MLA, and the bishop who was on the committee at that time is now retired, I believe, Bishop O'Byrne. I think that other people have gone. They've done their job, and they did the best they could. As far as I know, we got the best possible value for the property.

DR. TAFT: Can the Premier tell us if it is a conflict of interest for the leader of the successful bid to be simultaneously an employee of the RHA selling the property?

MR. KLEIN: Mr. Speaker, that is a matter for the Ethics Commissioner to adjudicate. I can't comment on whether that individual is in conflict of interest or not. There are rules that apply to regional health authorities, and those rules come under the purview of the Ethics Commissioner of this province. I would ask the hon. member to refer that matter to the Ethics Commissioner if he has a problem.

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

### Children in Care

DR. PANNU: Thank you, Mr. Speaker. Almost four years ago this government made a commitment to a zero tolerance policy for hotel placements for foster children. Yesterday the Minister of Children's Services gave a novel meaning to the term "zero tolerance" when she admitted that there may be as many as 30 or more children today in Edmonton motel rooms. Today the New Democrats have learned that it's not just teens and preteens being put into motel rooms, but toddlers and newborns as young as a day and a half old are also being deprived of an appropriate foster or group home environment. My questions are to the hon. Premier. Why has the government not lived up to the zero tolerance promise it made in a June 23, '98, memo it sent to all child welfare managers and service providers and agencies?

MR. KLEIN: Mr. Speaker, I don't know if the incidents referred to in the hon. member's preamble are true or not true. All I can say is that child care workers act in the best interests of the children. If there are no other facilities available, they try to make sure that the children and their families are housed in the best possible circumstance.

DR. PANNU: Mr. Speaker, it's not a good enough answer by the Premier when children are being put in unsafe places.

Will the Premier at least make a commitment to properly fund group homes and foster parents so that the practice of putting toddlers into hotel rooms can be consigned to history?

MR. KLEIN: Mr. Speaker, certainly adequate resources have been put into Children's Services. There have been subsequent increases at least for the past three years to this particular and very important department.

Relative to the specific question, Mr. Speaker, if there is no foster parent available to take a child, then the child care worker will do what he or she has to do to secure the safety of the child, and in some cases the only available option, on an emergency basis only, might be a motel or hotel room.

DR. PANNU: Well, Mr. Speaker, what we need are group homes so that children can be placed there.

In June '98 there were 27 children in Edmonton hotels. Has any progress been made by this government, or is the Premier completely uninterested in putting resources into anything other than horse racing?

MR. KLEIN: Mr. Speaker, that's an insulting question, to say the least. The minister has pointed out that when an appropriate long-term care facility can't be found – it will eventually be found, but where we have to deal with a child on an emergency basis, it may be that that child will be put into a motel or hotel. I have to stress that it would be with 24-hour supervision. It is a situation where the children are not left alone at all but where they are closely monitored and adults are with them to secure their safety.

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

2:00

### U.S. Agricultural Subsidies

MR. KLAPSTEIN: Thank you, Mr. Speaker. The United States government intends to put into place billions of dollars in subsidies for their agriculture producers. Their Congress approved the bill last week, and it's speculated that the U.S. President will sign off on the bill as early as next week. When this bill goes through, it will have a devastating effect on our agriculture industry, and producers I have heard from are furious and horrified, worried that these subsidies could possibly put them out of business. My question is to the Minister of Agriculture, Food and Rural Development. What is the Alberta government going to do to protect the livelihoods of Alberta farmers from the effects of this bill?

THE SPEAKER: The hon. Deputy Premier.

MRS. McCLELLAN: Thank you, Mr. Speaker. Well, there is no question that we're bitterly disappointed with the recent actions that are portrayed in the U.S. farm bill. This is in addition to subsidies or, we believe, trade-distorting measures that are in the previous bill. We're especially disappointed that they've seen fit to include pulse crops this year. That includes crops such as chickpeas, lentils, and beans, which previously have been excluded. Using measures like this is not very productive. They are not useful to farmers in the long term, and they are certainly not the way to encourage competitiveness and a global marketplace. We're disappointed because we've worked very hard at the WTO level to encourage the complete elimination of farm subsidies both domestic and nondomestic, and to see a major country come forward with additional subsidies such as these certainly is disappointing to us.

Ministers of agriculture from across Canada have asked our lead analysts to look at the bill. I have to say, Mr. Speaker, that it is still a bit of a moving target. The numbers change often, and we don't know what the absolute final details will be, but we've asked for a complete analysis of this. We've asked for a determination of level of injury, and I think that when we have that information, we'll be better prepared to know how to respond.

MR. KLAPSTEIN: Well, my first supplementary question is also to the Minister of Agriculture, Food and Rural Development. What is Alberta's stance on trade injury compensation to make up for the economic injury caused by foreign subsidies?

MRS. McCLELLAN: Well, Mr. Speaker, ad hoc programs are never

the answer long term either for governments or for producers. Producers appreciate it when we are able to provide them some support to counteract measures such as this, but producers prefer to act with some predictability and stability. We are encouraging that we work through our safety net programs, through our risk management programs to develop long-term programs that will indeed counteract some of this injury.

I think it's difficult to say at this juncture, until we understand indeed the total effect of what this injury might be, what measures should be taken. Mr. Speaker, again I have to say that the producers I talked to are very concerned about this, but they would like a long-term solution. They would like something so that they know that they can carry out their operations throughout the year, not ad hoc programs.

Mr. Speaker, I just want to add that in the year 2000 the Alberta government provided about \$405 million additional in an acreage payment to producers, paid on our own, to deal with low commodity prices which we believe come from distortions in the international marketplace. That was 2000. In 2001 a similar amount cost shared between the federal and provincial government was provided to producers for the same reasons. In year 3 we're having the same discussion. That tells me that ad hoc programs don't work and that we need to deal with the long-term solutions.

MR. KLAPSTEIN: My final supplementary question, Mr. Speaker, is also to the Minister of Agriculture, Food and Rural Development. How will this action by the United States affect future trade negotiations?

MRS. McCLELLAN: Mr. Speaker, the hon. Minister of International and Intergovernmental Relations may want to supplement my answer, because he certainly has the lead in Alberta as the minister who interacts with our federal negotiators. But I would say this: we have been very supportive in this province on the reduction and elimination of subsidies. We've played, we think, our part except when we were unable to do so. We're encouraging as agricultural ministers our federal minister to work through the World Trade Organization, WTO, which is one avenue for us. We have the NAFTA agreement, the North American free trade agreement, which also has a mechanism to deal with this, and I remind everyone that we have the Canada/U.S. free trade agreement, or CUFTA as it's known, to also deal with this. On the issue of how this would affect future negotiations, I would say that the Minister for International Trade is most closely connected to this.

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

#### **Power Purchase Agreements**

MR. MacDONALD: Thank you, Mr. Speaker. Details on how Enron controlled power prices in California are now being reported. Here in Alberta the EUB concluded on April 16 that TransAlta's hydro offer pricing strategy caused undue increases in the Power Pool price in certain hours of 2000 to the ultimate detriment of customers. The board ordered TransAlta to make a compensation payment of \$3.7 million within two weeks. My questions are to the Premier. Why were hydrogenerating units such as Bighorn and Brazeau, which are owned by TransAlta, excluded from the original power purchase arrangement auctions?

MR. KLEIN: I have no idea other than maybe – Brazeau and Bighorn I believe are hydro projects. Perhaps the rivers were frozen over. I don't know.

MR. MacDONALD: Astonishing.

Again to the Premier: why are actual water rental and associate charges paid by TransAlta regarding the matter also determined by TransAlta?

MR. KLEIN: Mr. Speaker, I don't want to be facetious. I don't have the answers to those questions. I will take the question under advisement and refer it to the appropriate minister.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the Premier: why are so many terms of the hydropower purchase arrangements confidential and therefore withheld from the public, who are owners of the water, the resource that's used to generate the electricity?

MR. KLEIN: A reasonable question, Mr. Speaker. I don't have the answer, and again I'll take it under advisement or under notice and refer it to the appropriate minister.

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

#### **Workplace Safety**

MR. GRAYDON: Mr. Speaker, this week is North American Occupational Health and Safety Week, and communities across the province are hosting safety events. While two of the largest fines in provincial history have just been levied for two separate workplace fatalities, I heard that last week another worker lost his life on an Alberta jobsite. To the Minister of Human Resources and Employment: what is the minister doing to ensure that Albertans come home at the end of the day?

MR. DUNFORD: There are two things, Mr. Speaker, that we need to do. One is to educate; the other is to enforce. On the enforcement side we've added to our field inspectors. We've more than doubled the actual work site inspections that we carry out. On the education side we've opened a call centre, we've opened a web site, and we've hired an occupational safety nurse and also a researcher. But we can't do it alone, and that's not enough. There's more involved here in getting workers home safely at night than just the government. So there's a challenge that's been put out by our department to the industry generally but includes both industry and government to reduce workplace injury claims by 40 percent by the year 2004. As a matter of fact, as we're here today, there are something like 150 people that are over at a hotel here in town that are developing a strategy that both government and industry will be able to utilize to reduce this accident toll.

Just to close on a serious, serious note, the hon. member talked about fatalities last week. Well, we had another one last night. This is serious stuff.

2:10

MR. GRAYDON: My first supplemental to the same minister. Getting ideas from Albertans is a great start, but do the 150 people that are meeting today truly represent Albertans, or is this just another meeting of the safety community that's going on?

MR. DUNFORD: As I looked at the registration list, Mr. Speaker and hon. members, certainly we do have safety professionals that are there in attendance today, but I think that as importantly we have CEOs of companies, we have labour representatives, worker representatives, injured workers, and all of the kinds of perspectives

that we're going to need as we move forward with a very ambitious goal of reducing workplace injury in Alberta by 40 percent. What we're saying with that 40 percent, hon. member, is that we're just no longer complacent in this province, that we're setting goals, that we're going to do something about this.

MR. GRAYDON: My final supplemental to the same minister: obviously some good ideas, but how can we be sure that those ideas will be translated into concrete action?

MR. DUNFORD: That's always the challenge – isn't it? – how we go from the rhetoric to positive action. This is one of the things of course that will be of primary concern. Now, the important thing about what's happening today and as we move forward is that we have to have commitment at the very top levels of organizations. To show the commitment of this government, we had the safety initiative actually detailed in the Speech from the Throne. So the government is on record as supporting this initiative. Part of what's happening today and part of the things that we've been doing with industry is getting the commitment from the top down through those organizations of the industry. While many things involved in human relations and human resources can bubble up from the bottom, safety is not one. You have to have commitment at the very top levels before it's ever going to happen throughout the organization, and we're seeking that today. I'm asking for the commitment of these people today, and thank heavens and thank goodness for Alberta workers, we seem to be getting it.

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

#### **Road Construction and Maintenance Funding**

MR. BONNER: Thank you very much, Mr. Speaker. The government exempts certain groups from paying the provincial fuel tax when the gasoline or diesel is purchased for a vehicle that is intended for off-highway use. This exemption policy shows that the tax is supposed to pay for highway construction and maintenance. To the Minister of Transportation: given that the fuel tax will add almost \$600 million to the government coffers this year, money that is intended for road maintenance and construction, why is your department only spending \$526 million on road infrastructure?

MR. STELMACH: Mr. Speaker, I thought I answered that question yesterday, but let's give it a try. There's approximately \$600 million collected annually from the provincial fuel tax, which is 9 cents a litre. There's about \$700 million collected by the federal government, which is a 10-cent-a-litre road tax. Of the \$600 million, all of that money, not by some dedicated revenue but general government policy, goes to the Department of Transportation. Included in that are some fees: licence fees and registrations, permit fees, et cetera, that go towards that same department.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the same minister: given that Albertans pay 9 cents per litre at the pump to fund transportation, why does the government want to double tax Albertans with a new road tax on toll roads?

MR. STELMACH: Mr. Speaker, nobody is in any position to double any tax. There was some musing by the federal government to increase road tax by 10 cents a litre. It was supposed to go to the

Kyoto offset. However, I'll defer to the Premier, because I believe that what the opposition is trying to get at is some musing that the Premier made a few days ago that got into the paper, and now they're raising it as a question.

THE SPEAKER: Hon. members, the purpose of question period is to deal with government policy, not musings. Now, if the Premier wants to proceed, go ahead.

MR. KLEIN: Well, Mr. Speaker, who knows? You know, you muse. It is not government policy vis-a-vis toll roads, but I indicated to the media that certainly there are projects that are currently under consideration, and it's no secret. It's been widely reported that one of those projects, the roadway proposed through the Tsuu T'ina First Nation in Calgary to be part of the southwest bypass, would be a toll road. So discussion in a very broad sense about tolls has been going on for some time, and basically the conversation has boiled down to that if – and I underline that "if" – it ever comes about, certainly there would have to be alternate routes that would be free. It wouldn't apply to existing roadways. It would apply to selected new roadways if it ever came about, but that is the policy discussion that we have not had.

As I explained to the reporter – and I don't know if the hon. member was there, but certainly his boss was, the hon. Leader of the Official Opposition. When the reporter asked the question relative to the specifics of tolls, my answer was that you're about 500 miles ahead of yourself. [interjection] Right; 500 miles ahead of yourself. But there's an old saying in politics that yes means yes, maybe means yes, and no means maybe.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the Minister of Transportation: since toll roads will be a double tax – Albertans already pay the fuel tax for road infrastructure – will the minister say no to toll roads right now?

MR. STELMACH: Mr. Speaker, quite frankly, Alberta has always led in introducing new policy in the country of Canada in outsourcing, engineering, design, project management. That saved us considerable operational dollars in the department. Currently we're trying to do two things. One is trying to get at least a few pennies of the 10 cents a litre we send to Ottawa, and if we ever got that, the last thing we'd be talking about, musing about is toll roads.

However, we know quite well that the very tough fiscal policies of this government over the last year have encouraged tremendous growth, an increase in population, people moving from other provinces to Alberta, but when they come here, they don't bring their roads and they don't bring their schools nor their hospitals. As a result we have to look at some new and innovative ways, and it's a policy discussion. I believe that maybe part of the committee that was struck by the hon. Finance minister will look at new ways of helping us build new, badly needed infrastructure in the province of Alberta.

2:20

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

#### **Prime Minister's Caucus Task Force on Urban Issues**

MR. MASYK: Thank you, Mr. Speaker. On May 2, 2002, the Prime Minister's Caucus Task Force on Urban Issues released an interim

report that included recommendations for improving the way municipalities are funded and improving relations between municipalities and other orders of government. My question is to the Minister of Municipal Affairs. Given that many of the report's recommendations indicate involvement of provincial governments, what is Alberta's response to this report?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you, Mr. Speaker. I do want to point out that we are reviewing the recommendations upon the report's release, and I'm very proud to say that Alberta has been viewed by the federal task force as a leader. In fact, this province and its ministry were the first to meet with the federal task force. In fact, the hon. Member for Grande Prairie-Wapiti joined me when we met last August with them.

If I could, just for a moment I'd like to quote from the vice-chair, who is Liberal MP Bryon Wilfert. This is what the vice-chair said about the task force when he was speaking about Alberta when they visited Alberta. He was interviewed on CHED radio on May 2, and this is what he had to say about Alberta. I quote from a Liberal Member of Parliament: Alberta has been very progressive when it comes to a new municipal act; they were very progressive in having municipal governments at the table making the decisions along with the province and the federal government on infrastructure – and I want to first of all recognize the ministers of Infrastructure and Transportation for that – but Alberta has always been – in his view – very forward looking in terms of thinking outside of the box.

THE SPEAKER: The hon. member.

MR. MASYK: Thank you, Mr. Speaker. Can the minister give examples of how Alberta is seen as being head of the pack, so to speak?

Thank you.

MR. BOUTILIER: Well, Mr. Speaker, I can in fact name numerous recommendations that are being made by the federal report relative to what Alberta Municipal Affairs has already started with and are somewhat ahead of the game with. First, as I mentioned in this Assembly, our roles and responsibilities council, which is considered an ongoing consultative and advisory body, is one of the recommendations which of course we have been doing now. The second recommendation was fostering research and best practices. We have established a municipal excellence program to do exactly that in partnership with our urban and rural associations. Three, a regional partnership program for economic development has done a fantastic job supporting regional economic growth strategies with our urban and rural partners. So there are many recommendations. Would you like me to go on? I am not sure if the Speaker would permit me at this time, but I would like to say that we're well on our way on this very important initiative.

Thank you.

THE SPEAKER: It sounds to me that the minister answered his own question.

The hon. member.

MR. MASYK: Thank you, Mr. Speaker. Those are very good answers, and I do appreciate them. Thank you very much.

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

### Water-for-life Initiative

MS CARLSON: Thank you, Mr. Speaker. The government's water-for-life initiative has just concluded, and there is a great deal of skepticism amongst Albertans regarding the government's agenda. My questions are to the Minister of Environment. Why did the Minister of Environment, who is supposed to at least look like protection is part of his mandate, include in the water-for-life booklet the statement that Albertans will have to choose between the sustainability of aquatic ecosystems and economic growth?

DR. TAYLOR: Well, first of all, I'd like to point out to the member that there is not a great deal of skepticism about this process. We have had a number of meetings around the province. We originally had scheduled 12. We have had 15. We've got one more scheduled yet in northern Alberta, and we've had wide consultation with Albertans. In fact, Mr. Speaker, we've had 40,000 hits on our web site since April 15 on this particular issue.

AN HON. MEMBER: How many?

DR. TAYLOR: Forty thousand. Now, I know that member will find that number astonishing, but that is in fact the case, Mr. Speaker. So Albertans have participated in this project. They are not at all skeptical about it, and there will be more participation as we go forward.

MS CARLSON: Mr. Speaker, perhaps this time he'll answer the question. Why did you include the statement: Albertans will have to choose between the sustainability of aquatic ecosystems and economic growth?

DR. TAYLOR: Well, Mr. Speaker, we put out a workbook that was in the neighbourhood of 15 or 18 pages long with a number of questions in it. Certainly one of the questions is, if she's reading it correctly, about Albertans making some decisions about a balance between economic development and environmental sustainability. That is what this ministry is about: it's about a balance between economics and protecting the environment.

MS CARLSON: How does the minister address concerns that this initiative is setting the stage for a push for bulk water transfers?

DR. TAYLOR: I think the member is reading her own press and dreaming wild dreams at night. This is in no way indicated in this position at all.

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

### U.S. Agricultural Subsidies (continued)

MR. MASON: Thank you very much, Mr. Speaker. The U.S. farm bill increases subsidies to U.S. agriculture by 70 percent, and subsidies to U.S. farmers will increase by 73 and a half billion dollars over 10 years. These U.S. actions are going to seriously hurt Alberta farmers, yet compared to our neighbouring provinces of Saskatchewan and Manitoba, the Alberta government has been silent and passive. My question is to the Premier. Does the government support the call by the Premiers of Manitoba and Saskatchewan for a federal \$1.3 billion trade injury payment to compensate Canadian farmers, including Alberta farmers, given the damage the U.S. farm bill will do to their livelihoods?

MR. KLEIN: Mr. Speaker, I'll have the hon. Deputy Premier respond in fuller detail, but what the hon. member says is entirely false and wrong. Only two hours ago I had a conversation with the Premier of Saskatchewan, Lorne Calvert. That's the second conversation this week I've had on the U.S. farm bill issue and a plan of action that is being contemplated. I don't know what that plan of action is at this particular time. I know that there is going to be a meeting on Friday. I'll be sending the Deputy Premier to that meeting, which will involve I believe the Premiers of Saskatchewan and Manitoba, to discuss a possible solution to this particular problem.

I know that the hon. Deputy Premier just returned from an agriculture ministers' meeting in Ottawa where that subject was brought up. There are perhaps a number of approaches that can be taken, but as the hon. Deputy Premier pointed out, one of the worst things that we can do at this particular time is to go into a situation that is ad hoc, that provides no sustainability whatsoever. But we are fully onside with the governments of Saskatchewan and Manitoba in terms of challenging what we consider to be an unfair bill under the bodies, the organizations available to us: NAFTA, the Canada/U.S. free trade agreement, the World Trade Organization, and all the mechanisms within those organizations.

THE SPEAKER: The hon. member.

MR. MASON: Thank you very much, Mr. Speaker. Well, given that the Premiers of Saskatchewan and Manitoba have already developed an action plan and that that includes a federal challenge of the U.S. agricultural subsidies before the World Trade Organization – they've already put out news releases; they've been meeting – why won't the Premier support a federal challenge to the WTO to protect Alberta farmers?

MR. KLEIN: I am going to have the hon. Deputy Premier respond, but before I do, the statement made by the hon. member is absolutely false, and I wish he would withdraw it. A plan has not been developed. A plan has not been developed by the governments of Manitoba and Saskatchewan. What they want to discuss on Friday is the development of a plan. I'll have the hon. Deputy Premier respond because she was privy to the telephone call, and by the way, Mr. Speaker, he wasn't.

MRS. McCLELLAN: Mr. Speaker, first of all, as I indicated earlier today, we do not have a complete analysis of the U.S. farm bill. We don't. The figures were changed yesterday. It's a moving target. It isn't through the process. The President hasn't signed it.

I was at a meeting with all ministers of agriculture yesterday. We discussed this issue fully, and we all agreed that that analysis must be completed before we could discuss a complete course of action. I can tell you and I think evidence will show, if you look at the difference between what agricultural producers have in Alberta and they do in the other provinces, that first up to a microphone isn't the best policy always.

2:30

MR. MASON: Mr. Speaker, given that this news release of the Saskatchewan government states, "Premier Calvert and I are jointly calling on the Canadian government to challenge these new subsidies before the WTO," and given that the Premier is not going to this meeting with other Premiers but is sending the Deputy Premier, why isn't he fighting for Alberta farmers?

MR. KLEIN: Mr. Speaker, I am fighting for Alberta farmers. First

of all, the Deputy Premier will be going to the meeting with the position that we support Premiers Calvert and Doer in calling on the Canadian government to challenge these new subsidies before the WTO and other organizations like NAFTA. We have some problem with

there must be federal funding to [at least partially] . . . level the playing field for Canadian producers and to sustain our agriculture industry against the damage caused by this latest anti free-trade action by the United States.

As the hon. Deputy Premier pointed out, we want something more than an ad hoc approach.

Mr. Speaker, if the socialist governments of Saskatchewan and Manitoba really want to do something to help farmers – to help farmers – perhaps they would get on the Alberta bandwagon and convince the federal government that the Canadian Wheat Board, that monopolistic agency, should allow dual marketing so that we can add value to our crops and reasonably market them.

head: **Recognitions**

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

### **Esquao Awards**

MR. HORNER: Mr. Speaker, it's my pleasure to rise today and recognize a function that will occur on the 24th of this month. It's the seventh annual Esquao awards. The purpose of the awards is to bring attention to the valuable role of aboriginal women in their communities and throughout the province. At this year's ceremonies 29 individuals will be presented with awards. The theme this year is Angels among Us, honouring the struggles of women and their strength to persevere.

It's my pleasure to recognize a constituent of mine, an award winner in the community involvement category, leadership/mentorship, Chief Victoria Arcand of the Alexander First Nation. She's the mother of five children, grandmother of 14, and a great-grandmother of three. She's a tireless and devoted worker for her community and has served as band councillor, secretary, and bookkeeper for the Alexander First Nation for many years. Through all of this, she has also completed her education and achieved a diploma in justice from Grant MacEwan College.

In addition, Mr. Speaker, I wish to also recognize one of our own in this House. The hon. Minister of Aboriginal Affairs and Northern Development is being awarded the Circle of Honour award for the enthusiastic and unflinching support that she's given to the aboriginal women in this province from the very first Esquao award.

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

### **Lauren Chykalsky Premier's 4-H Award Winner**

MR. MARZ: Thank you, Mr. Speaker. I rise today to recognize the winner of the 2002 4-H Premier's award, Lauren Chykalsky from Vermilion, Alberta. Lauren also attends the college in Olds. The Premier's award is the highest honour of the Alberta 4-H program, and Lauren is the 39th recipient of this award. She was selected out of 117 candidates during the annual 4-H selections program held this last weekend in Olds. As the Premier's award winner, Lauren also takes on the challenge of becoming the 4-H ambassador and will spend the next year promoting 4-H across the province and across the country. She will be joined by 15 more ambassadors who were also chosen during the selections weekend based on their leadership skills, their enthusiasm, and commitment to their communities and rural Alberta.



I had the pleasure of meeting Lauren and other ambassadors and all the outstanding 4-H leaders during the weekend's events, and I want to say how impressed I was with their enthusiasm and commitment to community service. Please join me in congratulating Lauren and all of the ambassadors and young 4-H members on their wonderful achievements.

### **SummerActive**

MRS. O'NEILL: Mr. Speaker, I rise to recognize SummerActive, a community-based initiative that aims to increase awareness about the importance of physical activity to health. Earlier today I was pleased to join the Minister of Community Development to officially launch this year's program. SummerActive's focus is to target inactive individuals – that's myself – and give them opportunities and encouragement to pursue an active lifestyle. The goal is to meet the nation's target of decreasing inactivity by 10 percent. Physical inactivity remains a serious public health problem. About two-thirds of Alberta's population, including more than one-half of our children, are not active enough for optimal health benefits.

An active, healthy lifestyle has health, economic, and social benefits that reduce the risk of many chronic diseases, increase quality of life, and reduce early mortality. From May 8 to June 21 events and activities will be planned across Alberta. We invite Albertans to participate and to develop their own SummerActive plan.

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

### **Interdependent Adults**

MS BLAKEMAN: Thank you, Mr. Speaker. Today I'd like to recognize all of the GLBT folks and Equal=Alberta, EGALE, GALA, Julie Lloyd, Murray Billet, Delwin Vriend, and many others, queer and straight, who have continued to work toward equality for same-sex couples in Alberta.

Yesterday the Minister of Justice introduced Bill 30, the Adult Interdependent Relationships Act, for first reading, and while this bill is by no means the end of the road, it is certainly a milestone to commemorate. What all of these people and organizations – and I include current and former members of the Liberal caucus as well – were trying to achieve is recognition, protection, and legal remedies for same-sex couples and for individuals.

The road to get here took us past the Supreme Court ruling on Delwin Vriend's case to include sexual orientation under the Human Rights Act, and now the road pauses briefly at Bill 30 to include some legal remedies and benefits for same-sex couples like those available under the law now for other couples in domestic relationships. It is only eight acts of more than 50 that are included in this new definition, and it's certainly not the whole road but a step along the road in the right direction. I'm very proud to be along on the march.

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

### **Edmonton Minor Soccer**

MR. MacDONALD: Thank you, Mr. Speaker. Today it gives me great pleasure to rise and recognize what is an important sport to many Edmonton families. The arrival of spring signals the start of another outdoor soccer season not only in Edmonton but all around Alberta. Soccer has provided endless opportunities for many individuals to form friendships while maintaining good physical health. The Edmonton Minor Soccer Association, or EMSA, was formed 26 years ago with the involvement of 30 teams. Today the

EMSA boasts the involvement of 1,500 teams. The massive increase in popularity of this sport over the years has been overwhelming. Roughly 24,000 players will take part in the 2002 outdoor soccer season. Soccer is a sport that requires much time and dedication from those involved. I would like to recognize the efforts of all volunteer coaches and league executives who will be participating in this season. It is my pleasure to recognize the 80 communities in Edmonton that were actively involved in minor soccer. Congratulations to everyone involved with making Edmonton's minor soccer a very successful event.

Thank you.

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

### **Asian Heritage Month**

MR. CAO: Thank you, Mr. Speaker. Today I rise both to recognize and to remind this Assembly that the month of May is Canadian Asian Heritage Month. This is a unique opportunity where our fellow Canadians having ancestral roots in the continent of Asia will have the opportunity to share the culture through various artistic, historical, and educational events.

Our fellow Canadians of Asian heritage have a legacy that has been established by generations of committed, hardworking individuals who have contributed to the settlement, growth, and development of this province. These individuals and many others like them have built this province alongside the pioneers from many different parts of our globe, and today, as in the past, their efforts continue in helping to build and strengthen our communities because of the deep commitment to the quality of life we all enjoy in this province.

I invite all members of this Assembly and all Albertans to join in the festivities of Asian Heritage Month in celebration of our Albertan cultural/social/economic enrichment. Thank you.

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose.

2:40

### **Leaders of Tomorrow Awards**

MR. JOHNSON: Thank you, Mr. Speaker, for the opportunity to rise in the House today and acknowledge some outstanding young individuals who were recently recognized in my constituency. The leaders of tomorrow awards ceremony was held in Wetaskiwin on April 22. Awards were presented to young volunteers in age categories ranging from six to 21 years of age who demonstrated outstanding dedication and excellence in their community service and work. The awards were sponsored by Reynolds-Alberta Museum, Wetaskiwin Credit Union, Rotary Club of Wetaskiwin, and county of Wetaskiwin, who made this event possible and have the thanks of all who attended.

Thirty-three exceptional young people from Wetaskiwin and surrounding areas were nominated to receive the leaders of tomorrow awards. Of those, Katherine Fraser, age 12; Dylan Graff, age 15; and Jody Parchewski, age 16 were the recipients of the awards in their respective age categories. Congratulations to these outstanding volunteers of today and leaders of tomorrow.

Thank you.

### **head: Presenting Petitions**

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

MS CARLSON: Thank you, Mr. Speaker. I have two petitions to present today. The first is signed by a number of Albertans who petition the Legislative Assembly to urge the government of Alberta

“to ensure that Mr. Stockwell Day is made personally liable for any funds required to settle his defamation litigation and that no public funds are used for this purpose.”

The second petition is signed by several Albertans who petition the Legislative Assembly of Alberta “to ensure that maximum penalties are enforced for all crimes committed with weapons and that all youth involved in weapons related crimes be tried in adult courts.”

Thank you, Mr. Speaker.

#### head: **Tabling Returns and Reports**

MRS. McCLELLAN: Mr. Speaker, I wish to table today the annual report of the Alberta Agricultural Products Marketing Council for the year ended March 31, 2002. In the interests of preservation of materials or not inflicting materials people might not want, I would just tell members that if you would like a copy of this document, they are available through my office.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you, Mr. Speaker. In question period the other day the hon. Member for Edmonton-Glangarry raised some important points relative to teleposts, and as I committed to this Assembly, I would table from the professional association of engineers their report, which ultimately says that there are no concerns regarding public safety relative to the question that the hon. member did raise.

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

MR. CAO: Thank you, Mr. Speaker. I would like to table a report from a constituent of Calgary-Fort, Mr. Allan Jobson, who was very knowledgeable and active in the WCB legislation and injured worker issues. His report contains analysis, questions, and recommendations to Bill 26, Workers' Compensation Amendment Act, 2002. Along with this tabling my constituent also asked me to hand deliver a copy of the report to the Minister of Human Resources and Employment, the hon. Member for Calgary-Egmont, and the hon. Member for Edmonton-Glangarry.

Thank you.

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

MR. MASON: Thanks very much, Mr. Speaker. My first tabling is a letter from the Candora Society of Edmonton, signed by 51 individuals and addressed to the Minister of Gaming. These individuals are asking the government to “reverse its decision and restore the Community Lottery Board” funding.

The second tabling is a letter from Dave Hegland, president of the Alberta Pulse Growers, addressed to the Minister of Agriculture, Food and Rural Development. The Alberta Pulse Growers is deeply concerned with the budgetary cuts in the minister's department, especially those supporting the on-farm demo, regional variety trials, and agricultural research associations.

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

MR. MacDONALD: Thank you, Mr. Speaker. I have one tabling this afternoon, and it is a handout I received at the Shaw Conference Centre earlier today. It's brought forward by the United Food and Commercial Workers Union, local 401, who are organizing a

barbeque for inner-city residents and striking workers there today. This leaflet indicates that the workers desire “to be treated with dignity and respect” by their employer.

Thank you.

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

MS CARLSON: Thank you, Mr. Speaker. I have a number of tablings today. The first is from William Kelly, who is a constituent of mine and is very concerned about the proposals for canned hunting in this province.

The second is from Jayne Russell, who's sent a letter to the Premier and who is very concerned about confined feeding operations in the province.

The next one is from Jean McKinney. This is a copy of a letter that she sent to the Premier and a number of MLAs. Very concerned about the Bighorn recreational area access management plan.

The next tabling is the appropriate number of copies of *The Leading Veg*, a newsletter published by the Vegetarians of Alberta Association. This group is a “registered non-profit society formed in 1989 to serve people who are interested in learning about, adopting and/or maintaining a vegetarian lifestyle.” They are a nonpolitical and nonreligious volunteer organization. They were also one of the many groups that braved the wind on Sunday, May 5, to participate in Edmonton's belated Earth Day celebrations.

The next tabling is from Margaret Scaia from Lake Louise, Alberta, who is very concerned about the discussions to delist therapeutic abortions as a medical procedure under Alberta health care.

The last tabling is letters from Grace Millenaar of Edmonton, Darrell Nieberding of Edmonton, Larry Dyck of Calgary, and Barry Dahlseide of Leduc, and these Albertans want the government to maintain some access for off-highway vehicles in the Bighorn.

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

DR. TAFT: Thank you, Mr. Speaker. I have two tablings today. One is a set of documents, the appropriate number of them, indicating government policy on the sale of RHA properties, market appraisals of the Holy Cross hospital, and correspondence concerning the sale.

The second tabling is I think the fourth in series on the cost of health care corruption in the U.S., six pages of examples of health care fraud involving health care businesses in the U.S., totaling today over \$443 million.

Thank you.

THE SPEAKER: Hon. members, any others? Then the hon. Member for Edmonton-Riverview on a point of order.

#### **Point of Order Member's Apology**

DR. TAFT: Yes. Thank you, Mr. Speaker. I'm rising to apologize to the Assembly and to the Premier. I understood that the material referred to during question period relating to the Holy Cross hospital had in fact been delivered to the Premier's office on Monday. Due to a misunderstanding it hadn't been. It has been as of now. So I apologize for that misunderstanding.

Thank you.

THE SPEAKER: Hon. members, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

(*reversion*)

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

MR. YANKOWSKY: Thank you, Mr. Speaker. I rise to introduce to you and through you to this Assembly my constituency office STEP student, Jonathan Roshko. Jonathan is enrolled in a business course at Grant MacEwan College. Jonathan is seated, if he's still here, in the members' gallery, and I would like to ask him to rise at this time and receive the welcome of this Assembly.

THE SPEAKER: The hon. Member for West Yellowhead.

MR. STRANG: Thank you very much, Mr. Speaker. It is a great pleasure today to introduce to you and through you to the Assembly 28 great grade 6 students from the Pine Grove school in Edson. With them today are teachers Mrs. Leah Holt and Mrs. Myrna Field. The parents and helpers that they've got are Mrs. Janet Murphy, Mrs. Lonni Saken, Mrs. Noella Robinson, and Mr. Louis Giannitsos. I'd ask them to please rise in the members' gallery, and I'd like us to give them a great round of applause.

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

MR. MARZ: Thank you, Mr. Speaker. It's a pleasure today to introduce to you and through you to all members of the Assembly a very close friend of mine and a very active member of the constituency of Olds-Didsbury-Three Hills, Mr. Pat James. Pat is also a councillor with the county of Mountain View as well as on the board of directors with the Alberta Association of Municipal Districts and Counties. I'd like to ask Pat, who is in the members' gallery, to rise and receive the warm welcome of the Assembly.

2:50

head: **Orders of the Day**

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

**Bill 27**  
**Appropriation Act, 2002**

THE SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you very much, Mr. Speaker. I'm very pleased today to rise and move second reading of Bill 27, Appropriation Act, 2002.

Mr. Speaker, the members of this Assembly have spent the last number of days since March 19, when we brought our budget forward, debating the estimates of the departments and going through detailed analysis of the various ministries and have asked some extremely good questions. I'm sure that most have enjoyed the debate through this session and have taken each department and have voted for the estimates. This appropriation bill basically pulls all of the budget documents and information together, and I'm very pleased with the response from the Assembly. So without too much discussion again I move second reading of Bill 27.

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

MS BLAKEMAN: Thank you very much, Mr. Speaker. I'm pleased to be able to rise and in second reading begin to comment on the principle behind Bill 27, the Appropriation Act, 2002. I always find myself in an interesting situation when we come to debate these

appropriation acts. The minister is correct: we debated quite a bit on various departments. I myself asked a number of questions, which is part of my decision-making process, and of course I wasn't able to necessarily get all of the answers to my questions. Part of that happens because the amount of time for each department is fairly limited, two hours or two and a half hours at the most, and in all of the asking of questions, there may not be enough time for the minister to fully respond with all of the answers, so there's always an agreement that we will receive the rest of the answers in writing.

Well, given that we just finished the very last department yesterday, it's impossible for the staff to keep up with that kind of pressure and provide us with the answers within a very short period of time. In fact, I have received answers back in response to two of the ministries that I have debated, that were the very first ones being debated. I have not received the answers back on the other three portfolios that I'm responsible for, so it's a small crisis of faith for me as to whether I vote in favour of the appropriation bill, in order to help everything move along and provide money for various programs that I support and that I know my constituents really need to get access to various programs, or whether in fact I say: "Whoa. No. Sorry; I can't support something if I don't have all the answers to my questions and on principle alone do not support the Appropriation Act."

There are a couple of other issues that are unresolved for me. I'll put them forward now in second reading, and maybe I can get one of the ministers to respond back to me during Committee of the Whole. One of the issues that has been most troublesome to both my constituency and the communities that are underneath the portfolios that I represent was the abolishment of the community lottery boards. I asked a number of questions during debate. I asked a number of questions in question period. I have to be honest; I don't really feel that I got answers to my questions. People still don't understand why these boards that were working so well for them, for which there were so few complaints out and about, were cut. It also affects of course a number of different ministries, because the grants that were being allocated on a local decision-making basis in each of the 88 regions, I think, may well have come out and paid for projects that would normally fall under a number of other ministries.

For example, I've been talking to the – it's a new organization. I'm sorry; I'm not going to remember the full and correct title for it, but under the auspices of the Edmonton Social Planning Council there was a legal guidance centre that was set up. Now, they had secured an amount of funding in the previous fiscal year from the community lottery board and had a working agreement that they could expect fairly securely to receive an equal amount of money from the current fiscal year, and that would have given that project a good start. They would have been steady on their feet and would have been able to carry on.

Now, of course, they weren't able to secure the second year of funding. She said: "Well, what do I do now? I mean, I've got this project half up. It's half rolling, and my source of funding has disappeared." I said: "Well, it doesn't fit under CFEP, it doesn't fit under Wild Rose, and it doesn't fit under AFA." This is a legal guidance thing. You know, where could she possibly go? All I could do was say: go straight to the minister. That's frankly what I've been recommending to a number of different organizations that have come to me asking: where do I go now? I've said: go to the minister that's ultimately responsible for that department.

So there is a very large and very unanswered situation in Alberta, and it's around these community lottery boards. We've now heard, in answer to some of my questions in question period, that there may in fact be a replacement program. Well, again all the same sorts of questions come up. You know, first of all, what was considered

wrong with the old program, and is it going to be fixed with the new program? Again we're not hearing about that.

Another of the groups that has been in touch with me with concerns is the Edmonton Federation of Community Leagues, and of course they have a counterpart in Calgary. I don't know how many members in here know – probably the senior members are aware – that Alberta is fairly unique in the community league programs that we have here. I know that Edmonton with its 140 community leagues is the largest volunteer-based organization, I think maybe in Canada. It has something “the best of” behind its title because it is involving so many people volunteering for the betterment of their communities. So when the Edmonton Federation of Community Leagues speaks, I listen. They're representing a lot of people at a grassroots community level.

They're very concerned with the loss of the community lottery boards, because many of their community leagues of course applied for and received moneys to make improvements and to run programs in their communities. Here's a small sample of what she was telling me. The community lottery boards in Edmonton awarded about 3 and a half million dollars to community leagues and community league affiliated groups in Edmonton. I'll just stop right there and say that that 3 and a half million dollars is a lot of money to lose out of a sector, especially when there's no solution in sight about where there might be a replacement for that money.

I've heard a number of people get up and in response go: well, you know, communities didn't have this money before the community lottery boards, so they can just get on and do whatever the heck they were doing before, and it will be the same thing. Well, that's partly true except that a lot of things have changed in these intervening four years, and one of those changes has been a fairly consistent and continuous transfer of responsibility for programs from the government down to the municipal level and in some cases to the community-based level. We have an expectation that certain programs are going to be carried on in the community now that weren't four years ago, and that's partly what the community lottery board was in fact paying for. So to say “Well, they can just go back and get money wherever they were getting it, you know, precommunity lottery board” is not necessarily true. The program in fact may have been paid for and entirely under the auspices of the government four years ago, and now it's community based. All things have to be taken into consideration here, and we really have to compare apples with apples and oranges with oranges.

Back to the Edmonton Federation of Community Leagues and the over 3 and a half million dollars that they were able to secure in grants. Now, out of that 3 and a half million 58 percent went towards park and playground development; 11 percent towards rink construction; 19 percent, hall renovations and furnishings; 4 percent, facilities, equipment, and programs for children and youth. Five percent was towards employment, and 3 percent towards other innovative projects.

3:00

Remember that before I was talking about how these community lottery boards had impacted far more than just the Ministry of Gaming or even the Ministry of Community Development. This is really affecting what I think is also happening in Municipal Affairs. We were talking about that yesterday, the Minister of Municipal Affairs and myself. In fact, that ministry is getting some \$40 million out of the lottery fund, but really I think they had to include the \$50 million from the community lottery boards as well. For the most part that money directly benefited the municipalities because there was enhancement that the city wasn't paying for and certainly that those groups will now look to the city to get.

These community lottery board funds filled an important gap in funding to recreation organizations, and there are a number of reasons why. In some cases groups like the community leagues – let's use them as a particular example – are not eligible for some other programs because they're not considered charitable. So where there's a criteria that only allows charitable programs through a number issued by Revenue Canada, they're excluded from applying for funds to a given funding source. The community lottery boards were set up in a way where they were very flexible about who they would consider grants from.

One of the other issues that has come up is: well, these groups can just go to CFEP, the community facility enhancement program. Yeah, uh huh, in some cases they can, but in at least three cases the projects that were funded were over the cap that is placed on the CFEP grants. You cannot get a grant for more than \$125,000 through the CFEP program. I'm thinking of the Kenilworth Arena, the Citadel Theatre, and the Edmonton Police Service projects, all of which have been truly left in the lurch, and there's been no answer forthcoming from government on how they are going to be accommodated.

These three groups had been successful in getting a grant, an agreement from the Edmonton lottery board that they would receive grants. The Kenilworth one sticks in my head; I think it was \$300,000 to fix their arena and rink. When the government chose to do cuts back in the fall, six months ago, the lottery boards also gave up the cut as asked, and in the case of the Edmonton Community Lottery Board they went back to some organizations and said: “We can't afford to give you this money right now, but you will get it in April. Would that be okay? Are you willing to accept that?” And the groups, believing of course that the money was coming in April, said: yes, fine, you can postpone the money. Now, if you had gone to them and said, “We're not going to give you the money now, and we think the government might in fact cut the whole program at the end of March. Would you agree to postpone your grant?” they would have said no, because they're out the money, frankly. And that's exactly the situation that they've been left in.

So on those three projects, for example, there's been no answer about how they will be handled. I've heard the suggestion: well, you know, we're talking about renovation and things, fixing up – the Citadel was about access for the disabled and hearing enhancement programs and that sort of thing – oh, well, that sounds like CFEP; why don't they go there? Well, as I said, CFEP has a cap of \$125,000. These were for grants, at least in one case, of double that. So they can't apply. I mean, they can apply, but they're going to get less than half of what they were looking for. I've asked repeatedly if that cap would be raised for either of these three groups or for all, and I've had no response back.

So, again, I'm reluctant to support a budget that can't answer these questions and in particular can't reassure me that these groups that have relied on the honesty and integrity of the government can continue to rely on that honesty and integrity, or if in fact they're just going to be dumped.

One of the other issues that was brought up to me and that I mentioned in the debate on Community Development very briefly and didn't have an opportunity to flesh out a bit is around what's happened with the restructuring of grants in that particular department. Now, part of this was around only one grant. The Department of Community Development instituted a rule that said that you can only get one grant. As part of that, some sort of odd things have happened that I don't think would be the intention of the minister. Nonetheless, I'm going to point out something that's resulted from this, and maybe during Committee of the Whole I can get him to get up and talk back with me about whether he would consider adjusting

the program or finding some other way to alleviate the problem that's ensued from this decision.

We have some artistic touring programs specific to children, and I'm going to use one example by name here, and that's the touring opera. They're not an artist-in-residence program particularly. They are a production. They come in. They do their opera. The kids watch it. The group leaves. What's happened is that their grant program, the touring performing program, got rolled in with the artist-in-residence program. So in combining those two programs the criteria for it sort of got combined. Now there seems to be an expectation on these touring groups that they're also going to do some kind of artist-in-residency program, which may not in fact be appropriate to what they're doing.

It may also be financially impossible for the group to do that. There's a five-hour artist-in-residence requirement here. So there's an expectation that if you're going to be paid by the school, you're going to show up; you're going to do at least five hours of artist-in-residency and then do your performance. Well, for Alberta Opera Touring they need to be doing 200 shows a year to stay alive, which means they have to be doing at least two shows a day. Well, if you're now requiring them to go in and do a five-hour residency plus the performance, that knocks them out right away. They're down to one performance a day. They can't make it at that. So right away that's caused a problem, that kind of artist-in-residency requirement.

The second thing that's happened is the way the grants are administered. That company, again, for example, Alberta Opera Touring, made one grant application – actually two, because it applied for its operating program plus the touring grants – and that would be it. Then they would contract with the various schools that wanted to have them in. Because of the change in the way the program is being administered now, there's an expectation that the schools will make the grant application to apply for the money to have the group come in. Well, those schools, as we know, are already working pretty hard, so they just throw their hands up and go: we don't have the time to do this at all.

Now the onus is in fact upon the member who is running the touring company to do the 210 grant applications for all of these different school groups on their behalf, and of course he's one guy. He's writing the plays. He's doing the tour booking. He's hiring the performers. He's performing in it himself. And now he has to do 210 grant applications? It's a bit much to ask of anyone. That's another problem that's come out of this change in the way things are being approached.

There's some question as well with the change and this requirement or expectation that there'll be an artist-in-residence. There's some question about quality control on what you're getting there. I'm not going to go into that one because I'm not understanding all the issues well enough, but I think it's enough that we be concerned about the fact that we're imperiling some touring groups under these new requirements and under the new grant program, and we don't want to lose those groups. It's not easy to tour. It's hard to tour. I can speak from experience on that one. It's a labour of love, and it's not always easy to get people that are willing to go on tour and to tour into rural areas in Alberta and to tour to schoolchildren. Yet this is something that we all know is a great endeavour. The kids really love it, and everybody really benefits from it, so we don't want to make it any harder than it already is or any less economical than it already is for these touring groups. So I need the minister to take another look at this program, because I think there are some serious problems there in an area that's already difficult to administer.

I know that in the case of Alberta Opera Touring he was mentioning to me that he thought the change in this program was effectively going to cut \$30,000 out of his budget. Again, I told you that this is

essentially a one-man operation. This is pretty lean and mean. You don't get any leaner and meaner than that, where you've got one guy writing the thing; he's acting in it; he's casting it; he's doing the tour arrangements. That's pretty good. We're making it even harder on him and taking away a good source of his money as well.

3:10

There's also a question somewhere else in there I think I raised earlier with the minister on the whole question of why we're expecting the arts sector of Community Development to be paying for what could be deemed an educational component for kids, and that is seeing these touring productions, whether they be the ballet, the opera, a theatre production, or whatever.

So those are the couple of points I wanted to raise. In principle I can't support this appropriation bill until I get the answers to the questions that I had put out there, and I look forward to receiving those answers.

Thank you very much, Mr. Speaker.

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

MS CARLSON: Thank you, Mr. Speaker. Happy to add my comments to second reading of Bill 27, the Appropriation Act, 2002. First of all, I'd just like to spend a moment or two talking about the process of budget this time. We had some new rules to go by, and this is the time when normally we would evaluate them with regard to how the budget process worked, whether or not this was an effective way to deal with budget. It is one of the more effective systems I think that we've had over the course of my history in this Assembly. I do have a few suggestions that I would like to put on the record for consideration next year.

What happened this time is that we went to budget after Monday night's private members' business and then Tuesday nights and Wednesday nights. Because of the government's wish for haste in getting out of the Assembly, we ended up doing quite a bit of work after 10 o'clock at night on other bills that had to be discussed in the Assembly. While that speeds up the process of how long we're in session, it also creates a great workload for us in terms of research and properly analyzing the bills and sending them out to stakeholder groups, getting the feedback in, and then being on our feet debating issues in the afternoon and evening and then late into the evening. It's very tiring for everyone, not just for us but I would suggest for all members in this Assembly.

AN HON. MEMBER: Poor you.

MS CARLSON: No, it's not a poor me kind of statement. It's a reasonable statement to be made given that people need to work effectively and efficiently. There have always been parts about the process, Mr. Speaker, that I have liked, and for those parts that I don't like, I always put them on the record. It's clear that the government whip would choose to enter into debate on this, and I would welcome that, because we hardly ever see her stand on her feet in this Assembly, so she will have an opportunity . . .

MRS. NELSON: Point of order.

THE SPEAKER: The hon. Minister of Finance on a point of order.

#### Point of Order Relevance

MRS. NELSON: Mr. Speaker, on relevancy. I believe it's 453 or 457. I'm sorry; I don't have my *Beauchesne's* handy. I thought we

were debating the appropriation bill and not the procedures of the House, rules that were determined prior to us coming into this session.

THE SPEAKER: On the point of order, hon. Member for Edmonton-Ellerslie?

MS CARLSON: Yes. I would suggest that there is no point of order. In fact, the budget process and how we debate the budget over the course of the time allocated is very much relevant to appropriations and to the point that I'm getting to, which is in terms of relevant answers and time spent.

THE SPEAKER: Well, hon. members, on this very important point of order, as the chair refers to citation 453, it says, "A dissolution of the House immediately puts an end to all outstanding orders for Returns." So that clearly is not the appropriate citation.

Citation 457 says:

The Speaker plays no role in determining the correctness of the translation of texts. Members who take issue with the translation of a text before the House should propose an amendment to the motion or bill at the appropriate stage.

So that certainly is an inappropriate citation as well.

Look; the point of it all is that the hon. Member for Edmonton-Ellerslie was making comments. It appears to the chair anyway that there was some movement of mouths from another part of the House, and the Member for Edmonton-Ellerslie responded in kind. That led to another kind of thing. The hon. Minister of Finance stood up on a point of order, saying that that exchange was totally irrelevant. And you know what? The chair agrees: a totally irrelevant exchange – totally.

So would the hon. Member for Edmonton-Ellerslie continue her remarks.

MRS. NELSON: Could I just say . . .

THE SPEAKER: Finished. Dealt with. Dealt with.

MRS. NELSON: I apologize for not having *Beauchesne* handy. It was 459 that I was referring to. I'm sorry.

THE SPEAKER: Well, that's good.

### Debate Continued

MS CARLSON: Thank you, Mr. Speaker. I'm happy to continue with my remarks. In terms of the process of how the budget debates have gone, in terms of our being able to spend relevant time on them and give government members an opportunity to respond prior to the vote on the particular budget, I have a suggestion to make. That is that perhaps next budget session we take a look at debating budget estimates on Monday night after private members' business and on Wednesday evening, leaving Tuesday evening free to deal with other bills that are on the Order Paper.

That accomplishes a couple of things. It makes some progress in terms of where we're going on other agenda items, and it also gives us a little more time to review budgets, to go out to stakeholders and get feedback from them, and to be prepared in the Assembly. It also gives ministers an opportunity for themselves and their staff to review the questions that were asked and to supply answers to us in a timely fashion, and we see a timely fashion as being prior to the appropriation bill coming before the Assembly for a final vote. It is quite frequent that we don't receive the answers to the questions from the budget until sometime after that point, in fact. Often it's

certainly after we have taken a recess from the House and sometimes it is well into the next session before the answers come.

Now, there are a few ministers who always strive to give us timely responses, and that we very much appreciate. In fact, I had an opportunity to review the responses from the Minister of Transportation that hit my desk yesterday, which of course was very timely in terms of this budget debate. I have to tell you that the Minister of Transportation is a minister I quite like, and it seems that he tries very hard to do a good job of performing his duties, but in this particular instance I was very disappointed in the kinds of answers that I got back. I had some very legitimate and detailed questions that I requested answers to, and I thought that in the debate I had outlined that rather well. Obviously that was not the case, Mr. Speaker, because the answers I got back were not acceptable by any stretch of the imagination.

[Mr. Shariff in the chair]

One of the questions I had asked him was about transportation grants to all areas of the province and the kinds of cutbacks we've seen, and he went on to talk about the increased grants and the reversal of the decisions that had been made in terms of Calgary and Edmonton. Specific to my comments during that budget debate were concerns that Albertans had expressed to me about this government having an Edmonton/Calgary corridor mentality, and he responded by giving me an answer that only deals with those two cities. In fact, my questions specifically were directed to other areas of the province and the transportation grants there. So I was very disappointed. I thought that we could have some good answers that we could send out to municipalities and to people who were worried about transportation in the outlying areas, and we got back something that is actually good for me and for the Official Opposition in terms of confirming in those people's minds that this government has that particular mind-set. It was less than what I expected in an answer.

I'm hoping that the minister will review those questions and then subsequently the answers that he provided and perhaps upgrade the quality of the answers to something that I can send out, because in the absence of a good answer I'm going to send out the answer that he gave me. People in the province are not going to like it, and I'm sure that he is going to hear from them and that in fact it will cause him and his staff a great deal more work than if he'd just answered the questions in a relevant fashion to begin with.

3:20

Some of the answers that I got were pretty good and covered most of the areas that I had asked about, although I have to say that I am waiting for the answers from Sustainable Resource Development and Environment. I'm hoping that they will provide those.

It's always been my position, Mr. Speaker, that I prefer a budgetary process where we can have access to deputy ministers and other key support staff in departments for the budget process, because while ministers know their departments quite well, they often don't know the specifics of some of the details of the programs, and it's very nice to have access to that staff to get that level of detail in answers. In previous budgets we have had that ability. I know a lot of people didn't like being upstairs for the budget debate, but it was very helpful to get some level of detail on some of the issues, and it was particularly helpful to me. It wouldn't be necessary for all the departments but for some.

Sustainable Resource Development does a very good job these days of having briefing sessions for myself and support staff on issues, where we do have access to people who can give us some detailed answers and some feedback on how policy initiatives and

changes in direction have been received, as they perceive it, and a perspective on how the policy that they are implementing should be implemented. While that always isn't in accordance with how we think things should be done, it certainly is very, very helpful to have access to that information.

In Environment, which is one of the other portfolios that I monitor, we have random meetings but certainly not that degree of access to staff, and it would be helpful to have that.

As well, Economic Development. Now, I know that the minister is definitely a cheerleader for Alberta, and that is his job, no doubt about it. But what we hear are only the ministerial statements in the House. We don't get additional information or support from that department, and that would be helpful.

International and Intergovernmental Relations: the same thing; we don't get an overview of what's happening and specifics on direction. What happens, Mr. Speaker, is that if we have access to that kind of information particularly during budget debate, it cuts down on the number of questions in the House or it makes the questions in the House more relevant and therefore better for the use of Albertans. So I would suggest that the Government House Leader and the ministers consider that when we talk about how the budget process will be undertaken next year.

Once again here we are being asked to vote on appropriations, which are substantive in amount, and we haven't got all the answers. So that's a very tough thing to do. If we'd had the budget a little earlier and there were some sort of mandatory requirement that answers be provided prior to the votes being taken, it would certainly be a lot easier for us to vote on these issues. We're talking about nearly \$17 billion this year, \$2 billion down from last year. So we'll see what happens over the course of the year. I'm quite sure that we'll see revisions over the course of the year or certainly surpluses being built into this year's budget given the way oil and gas prices are going now.

I'd like to spend a few moments talking about what happened to the budget this year. This has been a very interesting budget year. We have seen government bring in a budget on one day and the very next day talk about extra money they had available. We've seen at least three . . . [interjection] Well, that's an interesting point, Mr. Speaker. We hear the Government House Leader saying that the announcement that was made the day after the budget was introduced dealt with surplus moneys from the year prior. I agree that that's where those moneys came from.

The point here is that when you are giving people information on money matters, it is very important that full disclosure in terms of all the moneys available and all the relevant information available to the person in charge of the information be made to those who need the information. In this case it's Albertans. Appearances during that time period – it looked like there were some other protocols being met, not necessarily that of full and open disclosure at the time that moneys were available. Now, I know that the Minister of Finance won't like that, but let's take a look at the optics of that situation; they did not look good.

Subsequent to that we saw two or three more flip-flops on money issues. Before the budgets were decided, we saw the great big . . .

MS BLAKEMAN: Why didn't they flip-flop on the one they needed to?

MS CARLSON: Well, that's right. My colleague from Edmonton-Centre makes a very good point: why didn't they flip-flop on the one they needed to? That's an outstanding issue that we believe we are going to see a flop on probably over the summer when most people in this province are on holidays. At that time the media doesn't give

the same kind of scrutiny to decisions that are made by government.

No doubt, the elimination of community lottery boards in this province created a very big uproar from corner to corner of the province because it's an issue that hits every single community. Now, we have heard lots of reasons why these dollars were discontinued, and certainly the lamest of these reasons was that there was no money for them, Mr. Speaker. There is money for everything this government wants there to be money for, and certainly this is no exception. The support of those organizations . . .

REV. ABBOTT: Yeah, we wish.

MS CARLSON: Well, you know, it's too bad that other people don't get involved in the appropriations debate, Mr. Speaker. They're quite happy to chirp away and add in, and Drayton Valley-Calmar is the first amongst those to engage in debate off the record, so we'll just put those comments on the record for him. [interjection] Yes, just heckling; that's true.

The fact is, Mr. Speaker, that we had many people in this province who were very upset about what happened with community lottery boards. The money is there. We're going to see as this year unfolds that they'll find some other way to provide photo ops for MLAs to present those cheques, not opposition MLAs.

MRS. NELSON: I don't think so.

MS CARLSON: Well, that's right. The Minister of Finance says: I don't think so. The question is: is she saying "I don't think so" to there being any photo ops for opposition MLAs? Well, I don't think that's true either. Is the answer "I don't think so" that there will be no other venue for community lottery board dollars to be disbursed? Well, I think they're going to come up with some new way for those dollars to get into the hands of community members, and it will be interesting to see how that happens.

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

MS HALEY: Thank you, Mr. Speaker. I wanted an opportunity to speak on the Appropriation Act because I think it is, as the hon. member across the way indicated, an important piece of legislation. It is important. We've spent many days and many nights in here dealing with these.

As per the earlier comments about the process, yes, I agree that it is tiring, but everything in this Assembly every session is tiring. This year for the first time in years we have a system where all the debates on the budget are done inside this Chamber as opposed to being designated out in subcommittees upstairs where we had two budget discussions going on at the same time, where we had Friday mornings or Friday nights or Saturday mornings or Monday mornings at 8 o'clock, trying to deal with four or five designated subcommittees on the budget. Every single department of government is being debated inside this Chamber, as it should be. So I can agree that it is tiring, but I also think that it's an incredibly huge improvement over where we were.

The beauty of all that is that it came about through a Standing Orders debate and discussion and co-operation between House leaders: our Government House Leader, their leader, and the ND leader. So I think that it's kind of an important point that there was an agreement on this. You know, if you're not happy with it, then I would suggest in all honesty that you speak to the Government House Leader about it, and perhaps we can come up with a way that suits you better.

Going back to the actual appropriation bill, I think it's important that we put on the record what it is that we're actually talking about here. So let's start with that, with what's actually in the bill.

3:30

It starts with support to the Legislative Assembly of \$34,930,000, which is kind of important to everybody that's here, as to the functioning of this building, from security to visitor services to information systems to you name it. It's in there. That's what makes this whole place run. I think that's an important vote.

The office of the Auditor General, which is absolutely crucial to the oversight of government spending and making sure that things work well. The office of the Ombudsman, the office of the Chief Electoral Officer. The office of the Ethics Commissioner is very important to all of us. We all report to him annually, and by the way that's coming up in the next few weeks, so everybody should make sure they've gone. The office of the Information and Privacy Commissioner: that's in here too, Mr. Speaker.

Then it gets into the government expenditures. You know, you have Aboriginal Affairs, \$20 million; Agriculture, Food and Rural Development, \$305 million, not nearly enough, by the way. Nevertheless, I know that our minister will do a great job with it.

Children's Services, something that's been asked about repeatedly in here during question period, always indicating that it's not enough and it's not right, it's \$673 million. I remember when the now minister of sustainable resources was minister of family services, and at that time the children's component of it was about \$186 million. That was back in 1993-94. It is now \$673 million, a phenomenal increase in the amount of money, and I do know that there's an increase in children in there as well but not nearly as much as the increase in the rate of expenditures. You know, if you judge things by money, then you also have to judge it by the increase in the expenditure and the sincerity with which people are trying to help and deal with those serious issues of protecting children in this society. It's sad, Mr. Speaker, anytime that you have a child that needs protecting, but I'm glad to know that we have frontline workers and great people out there trying to perform that service.

We have Community Development, \$569 million, and I know that a portion of that is for the PDD program, which was moved over there this past year. I know that the minister does a very fine job with that particular program, and there again an annual increase is going into it. Can you keep up with the demand? I'm not sure, but knowing that the increases are there, at least we can help to offset some of the pain and distress that exists in our society. Yes, that was where community lottery boards were as well, and it is unfortunate that that program had to be removed at this time.

Every once in a while we need to maybe touch base with reality here on what it is you're trying to do with education, with health care needs, with acute care, with long-term care, with PDD, with children's services, with clean air and water, and a thousand other things that are must-haves, actual you need to have them, not just want to have them. Community lottery boards were a great program to have, but it was never necessary. It was never: wow, the whole world will fall apart if you don't have a community lottery board. You've got CFEP. You've got Wild Rose. You've got the Alberta Sport Council. You've got the Alberta Foundation for the Arts. On top of that, you have about \$180 million a year that's being raised by casinos and bingos for charitable purposes in this province. Over a billion dollars is going back in through these communities, whether it's through health care or education or whether it's through charitable contributions.

You know, this \$50 million of which about half was actually a duplication of funding mechanisms through CFEP, Alberta sport and

recreation, and Alberta Foundation for the Arts may not have been the absolute best use or the only use for that \$50 million. There's a commitment by the Premier and by the minister to review those programs and find the people who are falling through the cracks that can't apply under the other programs and try and find a way to change guidelines so that they can in fact do so, and I accept them at their word on that.

Economic Development, \$51 million, I think one of our truly more important departments as small as it may be in comparison to the overall spending. As an exporting province this is absolutely crucial to the future of everything that we do here.

Our Energy department, \$101 million; Environment, \$103 million, and that's an area where if I could spend a little bit more, I'd probably spend some of it there on water and air to make sure that this province stays as wonderful for our children as it is today for us.

We have our Finance department. We've got Gaming, which brings in a huge amount of revenue for us, and I'm very thankful for that, because when they weren't spending it here, they were spending in Vegas anyway, and I'm glad that it's staying here. I think that's as it should be.

Human Resources and Employment, a billion dollars, very important programs there. Again there was an increase in that one.

Infrastructure for this year, \$847 million. I wish that could be more, and if it hadn't been for the downturn in revenues of almost \$2 billion last year, I think it would be more, but maybe next year things will improve again. In an environment like ours, with the most volatile economy in all of North America, where you can have 15 and 20 percent swings in your revenue – you know, we tried to help out with onetime funding when we had a surplus. When things don't work out, it also has to come back out, because we do not run deficits in this province. I am hopeful that the minister's commission will in fact come up with some ways that we can do infrastructure and transportation spending perhaps a little more logically so that planning can be done not only by government, by communities, by schools, and by municipalities but also by construction companies that make their living here as well.

Innovation and Science, one of my favourite areas. The Supernet I think is just a phenomenal thing for this province. I mean, it's put us just miles ahead of every other place in the world.

Our International and Intergovernmental Relations. I know that it's a small department, but it's incredibly important. It came up again today in question period as to how important our international and national relationships are. If the U.S. is going to go back into huge subsidies for agriculture, where does that leave us? Where does that leave our farmers? Our minister will help us with that, to try and sort that out and take us through the proper procedures so that we can either deal with it at a legal level or have to deal with it at a financial level later, because one way or another you are going to deal with it.

We have Justice and Learning and Municipal Affairs, all incredibly important. Our Revenue department is just small, but it works well with our other minister. There's a great connection there. The Seniors department, incredibly important again. I have aging parents, and I know how important the seniors' benefit program is, and I also know how important the extended health care benefit package was. I know that our Minister of Seniors is working on that, and we will have a solution to that one as well.

Sustainable Resource Development and Transportation. Our transportation system again ties back into Infrastructure, and I know that eventually we'll have a solution for some of those problems.

You know, there's been an awful lot of angst and anxiety and time spent talking about community lottery boards, and I think that one of the things that you need to consider at the end of the day is that of



an almost \$20 billion budget, everybody is really complaining about \$50 million, and that's just not too bad as far as I'm concerned. So thank you for this opportunity, Mr. Speaker.

THE ACTING SPEAKER: Hon. Member for Edmonton-Ellerslie, are you rising on a point of order?

MS CARLSON: No, no. A question. Mr. Speaker, is the Member for Airdrie-Rocky View saying that community lottery boards weren't a priority for this government?

MS HALEY: I think that if you'd actually been listening to my comments, I would have said to you that they had provided a service, that there were areas where there was a duplication between it and CFEP, Alberta sport and recreation, Alberta Foundation for the Arts, and that, yes, it was important, but it is not as important as health care, acute care beds. It is not as important as trying to find a minimum of a 6 percent raise for teachers. It is not as important as making sure we have some money left for seniors.

If I were to complain about one thing, it would be the extended health care. I wish we hadn't had to do that. It was part of an overall package transfer, and if there were one thing I could put money back into, it wouldn't be community lottery boards. It would in fact be something for the senior citizens.

MS CARLSON: Another question, Mr. Speaker. So is the member saying that if there are organizations who fall through the cracks and don't have funding, the government will find other ways of funding those projects?

MS HALEY: I believe that that's been answered several times in question period by the Minister of Gaming, and he indicated over and over again that the guidelines were all being reviewed. We will look at CFEP. We will look at Alberta sport and recreation. We will look at the Alberta Foundation for the Arts. We will look at the Wild Rose Foundation. For the ones that don't fit now, we will see if there is a way to accommodate them. I also think it's important to note that there were people who were applying for those grants under community lottery boards that weren't getting funded either. They weren't getting funded then, and they may not get funded in the future, because they simply don't fit any of the criteria.

THE ACTING SPEAKER: Any other questions or comments? The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Yes. Thank you, Mr. Speaker. I'm just wondering if this is a decision that the hon. Member for Airdrie-Rocky View made by herself, or was this a decision that was made collectively by our entire caucus, that was elected by the citizens of Alberta?

MS HALEY: Well, as the member well knows, we have a very active caucus participation system, starting at standing policy committees, going up through cabinet, back through to caucus, and through Treasury Board and agenda and priorities along the way as well, so it was never made by just one person. As a matter of fact, there were a lot of people that participated in it, and it was an unfortunate decision. There's not one of us that wouldn't wish that we had a \$7 billion surplus this year and that the worst problem that we would have is where to allocate some of those funds. The problem was that we had a \$2 billion shortfall in revenue instead.

3:40

MS BLAKEMAN: Oh, thank you for that question and that answer.

My question to the member. She's pointing out that the Minister of Gaming will be looking at criteria for CFEP and Wild Rose and looking to accommodate groups under that, but we're talking about missing \$50 million. Is she anticipating, then, somehow or does she know somehow that government will be coming up with the additional money to put into those existing grant programs to cover off taking care of these groups?

MS HALEY: You know, in all honesty, no, I don't really think that we'll coming up with an additional \$50 million, but I do think that there might be \$14 million, as indicated in the business plan, in the next year for CFEP.

I want to re-emphasize this point. When I indicated that there was \$25 million worth of duplication, I meant that there was \$25 million of duplication. If a group could go through several granting mechanisms and get money from all of them, was that actually what it was intended to be set up for? The answer is: no, I don't think so. Nor was it intended to be set up for the big major groups. [Ms Haley's speaking time expired] Oops, I'm out of time again, Mr. Speaker, and I'm having such a good time.

THE ACTING SPEAKER: Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I appreciate the opportunity to make some comments at second reading about Bill 27, the Appropriation Act, 2002. As is the practice, we are to devote our comments at second reading to the underlying principles of the bill. I think the principles are abundantly clear to those of us that have studied the budget and have been in the House. The government has outlined the principles rather clearly in the budget documents. Budget 2002, the fiscal plan, lays out the budget principles. There are five really major principles that the budget is structured around.

The first is that the budget will be balanced every year. I think this is a principle that everyone in the House endorses and that we've endorsed formally through the Fiscal Responsibility Act and the Government Accountability Act in the past, but having agreed with the principle, I think what is equally important is how that balance is attained each year.

The how is where we often, I think, have disagreements in the House, as to how that process will be undertaken. The example of course is the one from last year, where the fall cuts that were made to the budget at that time were in fact very, very painful. There were a number of groups. I met with some of the disabled adults who were living in group homes and their advocates. Having a budget cut appear at the time in the fiscal year that it did worked a great hardship on those individuals. They had committed themselves to workers and to contracts that just didn't have a 1 percent reduction possible in them, so they were looking at some pretty serious adjustments as a result of those cuts. So as important as the budget being balanced is, how we do that balancing has to be a major priority, and that wasn't the only department.

I think the department that of course drew a great deal of attention was Children's Services. There were 18 programs in this city alone that were cut and curtailed, and unfortunately among those programs were a great many that were preventative in nature. I'm afraid that when the fiscal crunch comes, it's the prevention programs that usually are hurt and done away with first, and with respect to Children's Services, doing away with those preventative programs is really short-term gain for long-term pain. They are critical if the future is to be better and if costs in any of those areas are going to be eventually reduced. So while we endorse "the budget will be balanced every year" as a principle, how that balancing is done has to be very carefully thought through.

A second principle that's outlined in the fiscal plan put forward by the government and debated in the estimates is that "debt will be repaid." There has been a great deal of attention arising out of the experiences in the '80s to debt and the ills of the province being deeply in debt and the wasted resources that are sacrificed to interest payments on huge debts. Again, while it's a principle that we all would endorse, the question has been asked and it continues to be asked in terms of: how fast are we paying down the mortgage? How fast is the debt being paid down? This fiscal plan indicates that we are now nine years ahead of schedule, and that I guess is what has been the source of a number of questions about: is that prudent budgeting? Is it wise to pay it down that rapidly or to follow a plan, the kind of thing that most families do when they're doing their budgeting, that allows for a balance between the pay-down of debt and financing and appropriate spending that needs and should be done. I think it's a question that we have to look at very seriously.

If you look at the infrastructure across the province – I look at schools and colleges and universities and the huge amount of money that's going to be required for infrastructure and the comments by the Auditor General that we in fact are remiss in not having a plan in place to appropriately replace facilities as they age and to upgrade them. I think it's a worrying development that the race to get rid of the debt may be sowing the seeds for some other long-term and very expensive costs that are going to have to be borne in the future.

A third principle that the plan outlines, Mr. Speaker, is that "revenue forecasts will be prudent." I think we all agree, given the kind of volatility that Alberta faces with respect to revenue, given that it's based so heavily on resource revenues, that prudence is needed. But the question again is raised: is it prudent to vastly, vastly underestimate revenues to produce surpluses? Again, it's a question that's going to be debated and will continue to be debated, but the forecasts have been wild over the last number of years. There is some basis for it, but you wonder if there doesn't need to be some discipline in making those forecasts.

3:50

A fourth principle that is often part of our budget debates is that "spending plans will be affordable." Again, we can all agree that you have to live within your means. You can't live otherwise without going back into the kind of huge debt that we faced in the past, but I think there are two words that might be added to that principle: that spending programs will be "appropriate" and "affordable." It's the appropriateness of this spending that we have spent the last – I don't know – 30 days debating, because it's in the details of the various departments that we try to make judgments about the appropriateness of the spending that's placed there. There have been some serious questions raised during the budget debates about the various departments and the appropriateness of the allocations that have been made there.

A fifth principle is that "the government will be open and accountable to Albertans," and it's one that the government prides itself on in the number of references that are made to this principle. One of the ways that the openness and accountability is practised is through the business plans, and the business plans have come a long way from those that we saw first in the early '90s. Some of the departments have business plans that are really quite excellent in terms of the public, citizens trying to follow what's actually being done and with the appropriate indicators for citizens to make some judgments. Mr. Speaker, I think in particular of the Innovation and Science department and the business plans that they have put forward. They're still in development, but I think that what they have there is really fairly well done and might serve as a model for other departments.

One of the difficulties we have – and I think, again, the Auditor General has made reference to it – is the changing of business plans. The changing of performance measures and the performance indicators from year to year makes comparisons very, very difficult and makes any kind of history-tracking of specific items really very, very difficult.

There's also a lack of common definition in terms of what is an indicator, what is a performance measure. So it would be very helpful in terms of future business plans to have some cross-department agreement in terms of what those terms mean. By now the indicators, for the most part you would think, would be settled down for departments, and I think it would be very useful in budget examinations to have those plans be fairly consistent year to year so that judgments could be appropriately made.

If you look at the plan as outlined by the government, the priorities are listed as three in the plan. First, Health and Wellness is a top priority, and it takes up 36 percent of this year's budget, Mr. Speaker. Learning is a second priority, and it takes up 24 percent of the budget. The third priority is assistance for those in need. One of the frustrations of the Health and Wellness budget – and this appears year after year – is the huge amount of activity there seems to be. I don't know how many different plans we've had. There was a 90-day plan back in the early '90s when the system was going to be fixed. There have been groups studying the health care system. It's just a most frustrating area in terms of all of that activity actually resulting in a health and wellness system that we're comfortable with and that doesn't seem to be under constant stress.

There are concerns still, I think, within that budget about mental health services and how they're being delivered. I think there were some good items in it, and I think the \$9 million to reduce tobacco use was well spent and well placed, but it's a budget area that I'm still pessimistic we have a handle on.

Thank you.

[Motion carried; Bill 27 read a second time]

### Bill 28

#### Miscellaneous Statutes Amendment Act, 2002

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

MR. HANCOCK: Thank you, Mr. Speaker. I introduced Bill 28 yesterday, indicating that it made some fairly minor and nonsubstantive amendments to two acts, the Employment Pension Plans Act and the Railway Act, and that it repealed a third act, and that is the Small Business Term Assistance Fund Act. In the practice of the House the miscellaneous statutes are agreed to by all parties before they're introduced and usually don't require much more debate than that. This, as I say, is nonsubstantive, and I would commend it to the House.

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

MS CARLSON: Thank you, Mr. Speaker. It is a pleasure to rise and speak to Bill 28, Miscellaneous Statutes Amendment Act, 2002. It's been the custom in recent sessions to try to minimize the work done through miscellaneous statutes and to ensure that it is minor in nature, and it has been the custom of the government to send over miscellaneous statutes suggestions to us as early as they can in the process so that we have a chance to review them and decide whether or not we are going to support them. If we feel that there are

substantive changes, then we ask for sections to be withdrawn. If we have any concerns about sections laid out in the bill, we ask for them to be withdrawn.

This time, as the Government House Leader indicated, three acts were brought forward for what we see also as being relatively minor changes, Mr. Speaker, and we will be supporting a speedy passage of this particular miscellaneous statutes act through the House.

[Motion carried; Bill 28 read a second time]

4:00

**Bill 29**  
**Intestate Succession Amendment Act, 2002**

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

MR. HANCOCK: Thank you, Mr. Speaker. I am pleased to move second reading of Bill 29, the Intestate Succession Amendment Act, 2002.

As I'm sure all members of the Assembly are aware, the government has embarked on, as I've mentioned a number of times, an all-encompassing review of family law statutes. In addition, we have also examined the legal treatment of committed personal relationships that fall outside the traditional institution of marriage. Bill 30, which was also introduced yesterday, the Adult Interdependent Relationships Act, addresses the status of such personal relationships insofar as they have access to the laws of the province.

That act is based on the fact that there are Albertans who are in personal relationships of interdependence outside of marriage, people who are emotionally and financially committed to one another on a long-term basis, and the definition of those interdependent relationships is set out in that act and will include long-term relationships, including platonic relationships, which meet the requirement of the act. It's a stiff test but an important one, and it's our intention that the Adult Interdependent Relationships Act will remain on the Order Paper after the end of the spring sitting and over to the fall so that Albertans may have a look at it, may satisfy themselves as to how it applies to them or how it doesn't apply to them, and have the opportunity to examine that. It's important that it sit over because the implications of the act may apply to many people, and they should have that opportunity to understand it before it comes into effect.

However, that being said, it is necessary to deal with one piece of legislation this spring. The Intestate Succession Act in April of 2001 was subject to a court action and crucial provisions of it were struck down by the Court of Queen's Bench in Alberta on the basis that they extended a benefit to a married couple that is not extended to a same-sex couple. The court suspended the declaration of the invalidity of that act until the end of the spring 2002 sitting of this Legislature or until the end of June, whichever occurs first.

Now, that wasn't the first deadline the court had imposed. They had given us 90 days to deal with the act and then extended that to the beginning of April and then extended it at our request until the end of June, and we appreciate the fact that the court understood the arguments that we made, that we were dealing with the fullness of the whole discussion of personal relationships. But we didn't feel it appropriate to go back to the court to ask for yet another extension, notwithstanding that the Adult Interdependent Relationships Act is not going to be passed until this fall.

So we ask the House now to deal with this amendment to the Intestate Succession Act, which will be superceded hopefully in the fullness of time with the debate on Bill 30 by that particular act. There are more provisions and different provisions in that act which

take this further. However, in Bill 29 are the amendments which are needed to keep these crucial sections of the Intestate Succession Act alive until Bill 30 is passed.

The reason we're putting a different definition in Bill 29 than is in Bill 30 is that we did not want to prejudge the Legislature in terms of what the final analysis of Bill 30 will be. The definition of an adult interpersonal relationship in Bill 30 is fairly expansive. It's new ground. It goes further than any other jurisdiction has gone, and it stands to be debated in this House. Personally, I think it's a very good approach that's been taken. It's been well thought out. We've worked on it over the course of the last year and longer in terms of reviewing the act, but it still stands to be debated in this House to be determined. So the difference here in Bill 29 is that we've taken the definition only so far as is necessary to keep those crucial sections of the act alive and no further. That's not for any reason other than so that there are not a great number of different variants available to people who have to avail themselves of the Intestate Succession Act.

What we're asking the House to do is relatively strange but nonetheless I think important, and that is to put this narrow definition and extension into the Intestate Succession Act so that we can keep those provisions of the Intestate Succession Act alive until we have the full debate on Bill 30 this fall. I'd ask the House to understand that provision.

I expect that members of the opposition and others will be very critical of me as the Minister of Justice and of government for not having moved earlier and faster on this, but as I've explained many, many times, this is a crucial area of law, and the whole family law area is crucial and important to many Albertans. It behooved us to do careful study and to come out with what we think is the right approach and then to have Albertans look at that approach. That's the process that we've been using. It has taken longer than perhaps many people would have liked, but I think it's better to be careful and to do it properly. That's what we're trying to do under Bill 30. We need now to amend the Intestate Succession Act as proposed in Bill 29 until we can deal with Bill 30, and I'd ask the indulgence of the House in allowing us to do that.

I would want to say one other thing before concluding my remarks, and that is that the Intestate Succession Act applies where people do not have a will, where they have not taken care of their personal arrangements before something happens to them. That happens because sometimes people are involved in accidents. They didn't expect to die, so they hadn't prepared for it. But the best thing people can do is not to rely on the law to take care of their personal affairs but to take care of their personal affairs themselves. I would encourage Albertans not to rely on the government to keep this law alive.

I admit it was facetious, but at one point in time I said: perhaps what we should do is let this act die and spend some money advertising and letting Albertans know that they should go out and write their will, not just buy a drugstore manual on how to write a will. Get proper advice. It's worth doing. Get proper advice, and do your estate planning. It's the best thing you can do for your family and your loved ones, whatever relationship you happen to be in.

While we're amending the Intestate Succession Act to allow for the provision of other relationships in the Intestate Succession Act so that the law can provide for the distribution of property in unfortunate circumstances, again I would encourage all Albertans to take their own affairs into their own hands, to write a will, to take care of their loved ones, and to take proper care of their relationships so that there don't have to be divisive court actions to determine how property is distributed.

I'd ask this House to vote for Bill 29 on second reading.

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

MS BLAKEMAN: Thank you very much, Mr. Speaker. I rise to speak in second reading to Bill 29, the Intestate Succession Amendment Act, 2002. I listened carefully to the minister's remarks, and I was considering whether it was possible to congratulate him on something he was ordered by the courts to do. I've decided it is possible to congratulate him, even though he did it because the courts ordered him to, because the truth is that we have had examples in the past in Alberta where that has not been followed through and in fact the province has decided to fight the case further and take it in one case all the way to the Supreme Court, which is costly, and the taxpayers pay for that eventually. The heart of what we're talking about here is people looking after one another and enabling people to look after one another. So I'm willing to give congratulations to the minister.

I'm just going to go back . . .

DR. MASSEY: What about the hire-a-lawyer commercial?

MS BLAKEMAN: Well, we'll come back to the hire-a-lawyer commercial a little later.

I'm just going to review what led us here, because people may not be particularly aware. What happened was that we had a gentleman, Larry Sand, who in fact had been married and had two children, was divorced, and sometime later went into a same-sex relationship, which he'd been in for a long period of time, eight or nine years I think. At this point, he had an untimely death in March of 2000. He was out walking his dog and was crossing the street and was hit by a vehicle. He survived for a couple of weeks in the hospital and finally died in April of 2000, and he died without a will. The point is that one of his children came forward and claimed the estate and didn't share it with the partner.

4:10

As a result of that, his partner in fact hired a lawyer, Julie Lloyd, who took the case forward to the courts saying: look; here's a situation where we have two people that were trying to look after each other. They lived their lives "in a fashion that was analogous to a conjugal relationship . . . they socialized as a couple with friends and family, they shared bank accounts," they purchased a vehicle together, "they roughly shared expenses, they purchased a house together as joint owners, and in essence were an interdependent social and economic unit." They even had retirement plans that were already all figured out. So all of that planning and all of that comingling of assets, and they didn't write wills. Nonetheless, there obviously was a partnership there.

What happened was that the partner was left in a bad financial situation as a result of this, and the point is that when we have people that come together and share a life together and that want to look after each other, they should be allowed to look after each other. That's an equality issue, and when this case was taken forward, the courts in fact agreed with that. Part of that section I just quoted was out of the court documents.

I'll just quote a bit more here from the judge's decision: "The remaining remedy is that of a declaration of invalidity relating to the impugned provisions of the ISA," Intestate Succession Act. However, the judge notes that "the legislature ought to be given some latitude to address the social and public policy issues and concerns." So when people talk about judge-made law, this is not judge-made law. The judge is very clearly saying: this is a problem that needs to go back to the Legislature, and that's where I'm going to send it.

"The legislature should have latitude to devise its own approach, consistent with the Charter" – that means you have to be equal – "and having regard to how an intestate's estate ought to be distributed in a fair and equitable manner, where the intestate had intimate relationships and dependants." Accordingly, the judge directed that "there will be a temporary suspension of a declaration of invalidity of the impugned provisions of the [Intestate Succession Act] for a period of nine months," which in fact took us to January of 2002. The judge notes:

Given the complexity of the issues and a new government (voted in on March 12, 2001), the nine month period ought to be ample, having regard to the fact that the [Alberta Law Reform Institute] has constructed in its report of June 1999 . . . a detailed blueprint for overhauling the [Intestate Succession Act] except for the issue of same sex cohabitants.

So I don't have to chastize the minister. Everyone else was doing it. Very clearly the judge said: Okay; this needs come back to the Legislature to fix what they wrought in the first place or didn't bring forward in an equitable matter that withstands the Charter.

So we do in fact now have – what is this? – on the 8th of May this Intestate Succession Act before us. As the minister pointed out, all it's doing is putting in a definition of an adult interdependent partner.

- (a) "Adult interdependent partner" means, in reference to an intestate, a person, including a minor, who lived with the intestate in a conjugal relationship, outside marriage,
  - (i) for a continuous period of not less than 3 years immediately before the intestate's death, or
  - (ii) of some permanence immediately before the intestate's death, if there is a child of the relationship by birth or adoption.

So that's the definition that we're working with that defines that adult interpersonal relationship. What it's trying to set up is that in situations like we had with Sand and Johnson, it allows and it recognizes that there's a relationship in place that should be treated the same as if there was a spouse. So what it's saying is that if an intestate dies leaving no surviving spouse but leaving a surviving adult interdependent partner, the surviving adult interdependent partner shall be treated for the purposes of this Act as if he or she were the surviving spouse of the intestate.

So it allows all of those things that follow through from this act regularly to follow through to an adult interdependent partner.

It also makes it clear that "if an intestate dies leaving a surviving spouse and a surviving adult interdependent partner," then we're looking at a timing issue, and it lays out how that would be followed as well.

So the larger issue here, as the minister did outline in his opening comments, is that the government hasn't been very good in Alberta in keeping our legislation up to date. They are trying to go through a period of updating and now subjecting legislation to a review every five years or every seven years so that we can try and stay up to date. We do have to look at our understanding of family, look at our understanding of how society operates, understand and incorporate the principles of equality into what we're doing, and understand that in some cases the legislation as it currently sits in a number of different areas is precluding people from looking after one another. Thus we have Bill 30, the Adult Interdependent Relationships Act, being brought forward by the minister at the same time, and that act is looking at changing eight other acts at the moment, one of which of course is the Intestate Succession Act. As the minister said, he wishes to leave that bill for debate and discussion for a longer period of time. He is obliged by the courts to complete the change in the Intestate Succession Act; thus we have this act, Bill 29, coming through on its own.

Also, as the minister pointed out, there is a definition that may be

subject to a change. The definition in Bill 29 is different from what is anticipated under Bill 30. It could be better; it could be worse. I won't comment on that, just that it is different, and in fact it may well be changed once we get to debating Bill 30.

The minister did speak about: if only people had just filled out their wills. He was sort of making a joke, but he was also serious, and I'm serious when I talk about this as well. There are two issues involved here. We should take care of ourselves. We should have RRSPs. We should write wills. We should write down where we left things . . .

MRS. McCLELLAN: On a daily basis.

MS BLAKEMAN: . . . on a daily basis.

We should sign our organ donor card. We should do many things, but, you know, people are human, and a lot of times they don't, as much as they mean to: good intentions, sticky notes on the mirror, and everything. It just doesn't happen for them. That's part of what we're having to capture with a definition like "adult interdependent relationships." It's the same reasoning, because people are human and often they don't take the steps to make an overt act. So they may mean in their head to sign that organ donor card and they believe in it and they're going to do it, but they just never get to it for whatever reason.

We have the same thing when we look at relationships. Some people do take that step. They get married, and it's licensed and certified and everything else that happens. Lots of other people don't. They move in together. That's the beginning of the relationship. There's no ceremony. There's no marking of that. There's a small celebration if they manage to get a pizza sent in and maybe a bottle of champagne that's shared with friends in the living room on the unopened boxes once they've found a place to live together. They never take that step. They never make that overt act beyond that. We have to be willing to capture those people in our legislation.

When we're looking at remedies and benefits that are available to one set of people, we have to make sure that we're capturing that second set of people in our legislation, and that's why we need things like a definition such as we have in Bill 29 and such as is considered in Bill 30, the Adult Interdependent Relationships Act, that will be considered in the fall.

4:20

There are two other things that have been proposed. Interestingly, they're not in this act. One of them was long championed by my colleague the former MLA for Calgary-Buffalo. He championed a written contract agreement where two people could with the advice of a lawyer enter into a contract that essentially said, you know, that such and such an act would apply to the relationship and would bring everything into play. Again, it's something that people have to consciously do: go and talk to a lawyer and get it all signed and figure it all out. People just don't do it.

There was a second proposal, that was put forward by someone else who is now a member of this Assembly, the MLA for Edmonton-Rutherford, who was talking about a registry: again an overt act that people had to take. They had to go down there, and they had to take whatever ID or whatever they needed and sign up and get it registered. Fine ideas both of them, but they don't take into account that most people don't bother to do that. [interjection] Some people don't want to do that. Okay; that's fair.

How do we then make sure that the laws that we have in place that truly affect the dissolution of a relationship – how do we make sure that the laws we're putting in place protect people, that there are remedies available to people who are getting the wrong end of a deal, and for those that are receiving some kind of benefit, that there

is equality in how that is distributed, that we're not just giving it to one group of people and for no good reason, no fair reason, and no Charter-challengeable reason we are not giving it to another group of people? So that's what we're trying to do here with both Bill 29 and Bill 30.

I'm certainly willing to support the speedy passage of Bill 29. I've noted the differences in the legislation; that is, the differences in the definition of adult interdependent relationship that's available in Bill 29 versus Bill 30 and therefore possible changes, that being that it is not making reference to a written agreement, that it is making reference to conjugal in Bill 29. That does not appear in the wider definition that the minister has outlined that will appear in Bill 30.

I think that this is what we want people to do. Yes, we want people to write wills. That would save us all a lot of time and trouble and grief. There might be fewer lawyers around because we wouldn't need to be getting all that legal advice after the fact. We do wish people would take steps to make clear to themselves and to everyone around them and to the authorities what they wish to have happen should things go wrong, and a deal by which everybody understands the rules when you're talking about a relationship dissolving or breaking up. The truth of the matter is that people don't, and we cannot allow a law to stand which does not offer a remedy or a benefit to those individuals simply because they did not take a particular action. It's not fair. It's not justice. It's bad business.

We can ultimately set up a situation where a couple can have arranged to have looked after one another, but our laws don't allow that particular couple, those particular two people, to look after one another, and we can end up with one of those people applying for government assistance because they weren't able to be looked after. Now, that is a tremendous irony when you look at it: that we would have laws that would stop people from taking care of each other and they would end up on society's ticket, society's payroll, because we had decided that a certain group of people wasn't deserving of that. Let's be honest. We're talking about same-sex couples here. That is what we're talking about. We have decided as a society – the overwhelming majority look at this situation and say: fine; if those two people want to get into a relationship, support each other financially and emotionally, fine. They should certainly be entitled to do that. More than that, we should make sure that we don't do anything in our laws that would stop that from happening, that would stop those two people from looking after one another. That is the essence of what we're trying to do with this legislation both in Bill 29 and with what we're looking at in Bill 30.

[The Speaker in the chair]

I, too, regret that it's taken us some time to get here. I understand, just given timing, that that first deadline in January was difficult for us. We would have had to have this legislation before us in the fall session, and that just wasn't possible. The government didn't call us to the Legislature for this spring sitting until the end of February, so we'd already missed that deadline there, and the minister had to apply to the courts to have that extended. So here we are in May of 2002, and I'm very happy to see this legislation in front of us. I'm very happy to know that my constituents, my friends, my neighbours will be looked after, that the legislation will allow them to look after each other, will allow their wishes to be carried through.

I urge all Members of the Legislative Assembly to support Bill 29 in second reading. Thank you.

[Motion carried; Bill 29 read a second time]

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

**Bill 23**  
**Municipal Government Amendment Act, 2002**

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

MR. VANDERBURG: Thank you, Mr. Speaker. I'm pleased to move third reading of the Municipal Government Amendment Act, 2002.

These amendments will improve the act by providing a consistent standard of liability protection for municipal officials and for municipal boxing and wrestling commissions. The proposed amendments will also improve the equalized assessment process in which requisitions for cost-shared programs are calculated. As I have mentioned earlier, these amendments were developed in consultation with municipalities, municipal associations, and other stakeholders.

Mr. Speaker, I'd like to thank the Minister of Municipal Affairs and Acting Deputy Minister Brad Pickering for their assistance with Bill 23. As well, the staff – Susan Thomson, Boyd Oberhoffner, Ron Cust, and Blaine Alexander – have done an outstanding job preparing documents and getting me up to speed on the issues covered in Bill 23.

In my concluding comments, Mr. Speaker, I'd also like to recognize the contribution of the opposition Municipal Affairs critic, the Member for Edmonton-Glengarry, and that of others in this Assembly and ask for their support.

Thank you, sir.

4:30

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

MS CARLSON: Thank you, Mr. Speaker. Happy to speak to Bill 23, the Municipal Government Amendment Act, 2002, in third reading. It is our opinion that this bill does in fact reflect the wishes of the stakeholders. This has been, I believe and my colleagues believe, a good example of where Albertans were listened to and appropriate changes were made, and these changes will, as we see it, improve the assessment practice. We see that this will also improve the liability protection for municipal officials and, of course, the boxing and wrestling commissions, as has been outlined in debate at the various readings. We believe also that in general this will strengthen the Municipal Government Act and will make it more current. So we are happy to join with government members on this and support this piece of legislation.

THE SPEAKER: The hon. Member for Whitecourt-Ste. Anne to close the debate?

[Motion carried; Bill 23 read a third time]

**Bill 24**  
**Child Welfare Amendment Act, 2002 (No. 2)**

THE SPEAKER: The hon. Member for Airdrie-Rocky View on behalf of the hon. minister.

MS HALEY: Yes. Thank you very much, Mr. Speaker. I rise to move Bill 24, the Child Welfare Amendment Act, 2002 (No. 2), for third reading.

As you have heard previously, Bill 24 is being proposed to validate temporary guardianship orders that have been technically invalidated by a court ruling. The Child Welfare Act requires that

a child's care plan must be filed with the court within 30 days of a TGO being granted. The plan must outline services to be provided to the child and their family while the child is in care. The court and the child's guardian have access to the filed plan. Most social workers file the plans with the court within the required time, but some workers have not.

It is important to point out, Mr. Speaker, that social workers do prepare plans of care. Make no mistake; these plans are prepared and shared with the appropriate parties, but in some cases they just had not been filed with the court. The courts have been reviewing unfiled plans of care for years. Filing the plans with the court is a formality that has not been strictly enforced by the court itself until now.

Amendments in Bill 24 have very limited application and will apply only to the TGOs invalidated by the court's ruling. The amendments will allow care plans to be filed after the 30-day time limit so long as they are filed within 30 days of the amendment coming into force. They will also allow a temporary guardianship order to remain valid even if a plan of care was not filed within 30 days of a TGO being granted.

On behalf of the minister I want to assure the house, Mr. Speaker, that children will not be placed at risk. In future, plans of care for TGO children will be filed in compliance with the Child Welfare Act. The Minister of Children's Services has brought the issue to the urgent attention of all CEOs of the 18 child and family services authorities. The social workers have been creating and sharing these plans of care all along, but the minister has now asked them to ensure that these plans are filed with the courts within the required period of time.

I ask for support of Bill 24. Thank you, Mr. Speaker.

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

DR. MASSEY: Thank you, Mr. Speaker. I'm pleased to have the opportunity to make some comments about Bill 24 at third reading. At third reading we usually go back and centre our remarks on the principles of the bill, but Bill 24 is an unusual bill. It's a bill that is designed to remedy a mistake that has been made by the department, and for that reason it's unusual. It's also unusual in that it's retroactive legislation, and I'd like to speak about that more in just a moment.

The heart of the matter is temporary guardianship orders. Those orders are the ones that are secured by the children's services director under section 31(1) of the Child Welfare Act. I'd like to just review that section, Mr. Speaker, because I think it lays out very carefully how important the care plans are. It says:

The Court may make an order appointing a director as a guardian of a child for a period of not more than one year if it is satisfied that

- (a) the child is in need of protective services, and
- (b) the survival, security or development of the child may not be adequately protected if the child remains with the child's guardian,

but it can be anticipated that within a reasonable time the child may be returned to the custody of the child's guardian or, if the child is 16 years of age or older, the child will be able to live independently.

It's a very serious matter. These are children that can be in danger. They are cases that cannot be taken very lightly. The care of a youngster is going to be transferred from the parent or guardian to the government, so it's a very, very serious matter.

It goes on in subsection (3), and this is the section that has caused the trouble:

Not more than 30 days after an order is made under subsection (1), the director shall file with the Court a plan for the care of the child, including a description of the services to be provided.

That again is an important part of the act, that having obtained an order to take a youngster into care, the director then has an obligation to make sure that there's a plan that is in place for everyone that's involved with that youngster's well-being and rearing to follow, a plan that lays out the obligations. The plans usually outline the kinds of immediate needs that have to be fulfilled – the shelter, the kind of environment, how the environment is going to be secured – and then also it outlines the long-term list of needs such as permanency of place, where the youngster is going to end up once the temporary guardianship order ends.

The plan is extremely important to parents. Parents and guardians who expect to get youngsters back need to know exactly what they are to do. What is their role in making sure, over whatever the amount of time that it takes within that one-year period, that they get that youngster back into their home? If the parents need treatment, if they need to have counseling, if there is need for special training, then that's all outlined in that care or case plan. If there's medication, if there's medical help, then that, too, is part of a case plan. So for the parents it's a crucial, crucial document and one that the proper care of the youngster can't proceed without.

For social workers and for judges and for others that are involved, it's an accountability document. This is a document that lays out their obligations, and it will have the assurance in the plan that the resources that are going to be required to carry out the plan are in place. They're important to the court because it lays out to judges that in caring for the child, everyone involved – the parents, the social workers, and everyone that's going to be involved – clearly understands what their tasks are and what their responsibilities are. So they're very important documents.

They indicate the time lines in terms of a youngster being returned to parents. They also lay out the alternative living arrangements or, if they're going to be different, adoption or private guardianship. They cover really, really crucial matters. The minister has told the House and I think the previous speaker indicated that there were care plans developed for all the youngsters, for the 620 youngsters, I believe it was, whose plans were not filed with the courts, and I'm not sure that's true. I say that having spoken to the minister's office and asked that specific question: were there case plans for all of the youngsters? The response to me at that time was they could not assure me that case plans did actually exist for all youngsters.

4:40

I found that rather devastating, because the importance of case plans became a real issue with the death of the Cardinal boy in the mid-1980s, the suicide hanging. An investigation into that hanging resulted in the recommendation that there be a case plan in place for every youngster taken into care. In that case there wasn't a plan. The youngster had been bounced around from home to home. There was no plan for bringing some kind of stability to his life, and the result was a disaster. So case plans, as I said, were a recommendation that came out of that, a recommendation that the government adopted and, not only adopted, incorporated into the Child Welfare Act under section 31, and it was deemed to be important.

One of the things that's hard to understand in all of this is how the practice came about that they weren't filed. We've heard some explanations that the court clerk said that it was too much paperwork and that they had no storage space, yet I find that really very difficult to accept as an explanation as to why they weren't filed. When the government was in court on one of the cases, they explained to the court that one of the reasons they hadn't filed them is that their resources were scarce, that they were precious, that the social workers would be better spending their time with the youngster than they would be at their desks writing case plans and spending time

filing those with the courts. Again I find that an unsatisfactory explanation, because the case plan is the basis for all action, and you would think that with every youngster there would be a great deal of time and effort and care in preparing those plans. I still am puzzled as to why the plans were not filed, and I'm even more puzzled and I guess disturbed by the thought that in many cases or even in a few cases case plans may not have been actually drawn up at all and didn't exist.

The reason for Bill 24 has been made clear. The Child Welfare Act requires the filing of a case plan by the director of child welfare within 30 days of the temporary guardianship order being granted by the court. It didn't happen, and it didn't happen in 600-plus cases, and the courts put their foot down. The case came before them. They decided that they would not grant a temporary guardianship order because the case plan was not there. It didn't come to a head because there were other ways for the director of child welfare to operate. They could secure permanent guardianship under the act. So there were other routes, and it didn't make this that important, but when the courts invalidated the 600-plus cases, then there was a real problem for the department.

I have asked what kinds of solutions the department considered, and one of the answers was that they could have reappraised all the 600-plus cases if they could find them. There were problems with communicating to the parents of those 600-plus children, so it was really a very difficult problem that the Children's Services department faced. The result was Bill 24. It was deemed the simplest solution; that is, to simply come before the Legislature and pass an act that says that it doesn't matter, that the failure to file a case plan no longer invalidates the temporary guardianship orders, and that any of the orders made before February 21, 2002, are "deemed to be valid" regardless of the court's decision or the filing of a plan. Further, the director is deemed to have complied with the legislation if a case plan is filed before or within 30 days of the coming into force of the new provisions, and that also applies to all orders granted before February 21, 2002. So the legislation is a law that allows the government off the hook, makes legal all of those case studies.

It is a very distasteful bill, Mr. Speaker, one that is rooted in error and has as its solution retroactivity. Retroactive laws I think are a special case of laws and ones that, when they're passed, have the potential of calling into question the stability of our legal system; that is, we have to operate on the assumption for the most part that the laws of the land, the laws that are passed in the province, are stable and can be relied upon. The whole system is predicated on that assumption. When a government has to pass an act that goes back and changes or annuls a previous law, then I think there is major, major reason for concern.

I think that throughout the debate on Bill 24 we've tried to express that concern. We've had representation by a number of citizens who are concerned with what's happening, who have asked that we do everything to delay the passage of Bill 24, yet in the final analysis, Mr. Speaker – and I said this before – I think we all have to hold our noses and pass the bill. I expect that the government feels no better about the bill and having to propose such a bill to the Legislature than we do in having to agree with it.

So I think that with those comments I'll conclude, Mr. Speaker. Thank you.

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

MS CARLSON: Thank you, Mr. Speaker. I'll take this final opportunity to speak to Bill 24, the Child Welfare Amendment Act. This is one of the most distasteful bills that I've seen in my time in

the Legislature, and it is a clear symptom that something is seriously wrong with the Children's Services department in this province. That we have to pass retroactive legislation which deals with the inability of the department to have adequately provided information that was requested by the courts is a very sad day for the province and makes this one of the saddest pieces of legislation we've had here, not in terms of the drafting but in terms of the reason why it's necessary.

If we reflect on what we've heard during this session on Children's Services issues and what we've heard in response to this particular bill, we still don't have the answers, Mr. Speaker. What is wrong with the department? Is there a level of arrogance within the department that they feel that they don't have to comply with judicial laws? Or is this a cry from the staff of the department stating that they don't have the time or the resources to adequately deal with the paperwork and the follow-up plans for the children? There is clearly some sort of systemic problem in that department that I do not feel has adequately been addressed with the passage of this bill.

4:50

We have heard primarily excuses. We have heard a denial of responsibility by the government for children. We have heard repeatedly the minister and a variety of other front bench people state that it is the parents' responsibility to provide for these children, and I don't deny that it is the parents' responsibility. It is the first responsibility of parents, to take care of their children. When there are the cases which we clearly see happening, in this case more than 600 that just weren't dealt with properly by the department, clearly there are more out there where parents for whatever reason don't take care of their children. Be it because they are incompetent parents, be it because they have addiction problems, be it because they don't know how to get out of bed in the morning and feed and clothe their children, whatever the reasons, there are cases in this province, too many cases in this province, where parents can't or won't take care of their children.

Then there is a role for the government to step in and provide that service for the children and to provide more than that service: to provide some stability, some continuity, and whenever possible some training to get those parents up to speed so that they can once again take on their responsibility in parenting. So there is definitely a role for government to step up and be responsible where children are concerned when that responsibility is not provided by the parents. That is not the direction that we have heard with regard to this bill and other issues that are being brought forward.

Temporary guardianship is a real problem for the kids who are taken into temporary guardianship, because it means that they do have families and that the relationship within their family has become so unstable that they have to be withdrawn from that environment. So you're dealing with kids who have faced rejection, who have faced unloving or uncaring or unproviding situations. They are yanked out of that and put someplace. We've heard today about the number of children that are placed in hotel rooms and about the lack of foster parents to provide that kind of interim support during temporary guardianship points in time. I feel that this is going to be my only opportunity to speak to this particular issue during the remainder of this session in terms of the issues that arise out of temporary guardianship orders, so I will take it.

Who should be providing for those children in the interim are foster parents, while a plan is laid out for care with the foster parent and with the parent so that they can take back custody of the kids. My parents were foster parents for many years, and most of the foster parenting that they did was for children who were under temporary guardianship. So I have firsthand experience of what it's

like to deal with those kids who are yanked out of their homes, often in the middle of the night, and need to be placed someplace else. Often it's kids, not one child, so we're talking about siblings who are yanked away from their families and placed somewhere in limbo.

What do they need? Those children need stability, they need love, and they need understanding. They do not get stability, love, or understanding in a hotel room. They do not get stability, love, or understanding when there is no plan in place for their future. What happens then is that they sometimes get left in hotel rooms for a longer period of time, which seems acceptable to the government. I personally feel that no time in a hotel room for any child of any age is acceptable, but they get left there or they get bounced around from foster home to foster home or they get placed back with the parents when there is no plan in place for the parents to be adequate providers. So the government then becomes an accessory to providing instability in that child's life. This government needs to seriously take a look at how they view their responsibility in that particular relationship, and I hope they do.

I believe that this minister takes that role seriously, and I hope that she spends some time this summer reviewing the government's role in providing support for those kids and that she sees that her primary role is to provide a stable environment for those kids to thrive in. That means adequately providing for plans. That means adequately providing for places of residence. If there aren't enough foster parents in this province, then we need to ask the question: why? Why is it that people feel that they can't provide that service?

I have many foster parents in my constituency, and I know that a lot of the reasons come down to money. People say that you should do it for the love of children, and they do. That's why they're there, for the first reason, but the fact is that they still have to pay mortgage payments, for groceries, utilities, extra rooms. The clothing allowance for foster children is not adequate. There isn't enough in terms of resources for sports and recreation, for cultural activities, all of those things, all the add-ons such as school fees. Transportation is a big issue. All of those things lumped together make it impossible for many foster parents to be foster parents these days, so the government needs to re-evaluate that process and ensure that we have the funds in place so that we can provide loving, stable, and responsible environments for those kids to thrive in.

With that, Mr. Speaker, I will take my seat on this particular bill, and I look forward to seeing some significant and substantive changes in this particular department.

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

MS BLAKEMAN: Thanks very much. I'd like to speak in third reading to Bill 24, the Child Welfare Amendment Act, 2002. I want to recap a bit about why we got into this and what the effect of this bill is expected to be.

Essentially, when a child is made the subject of a temporary guardianship order, the director of child welfare according to law, according to the Child Welfare Act, within 30 days from the granting of an order – and that's a court order – must file with the court a plan for the care of the child, including a description of the services to be provided. Now, part of the reason for filing it with the court is that it becomes a public document and others can get access to it, including in some cases the parents or the guardian of the child, to find out what the plan is for care. Understand that a temporary guardianship order is intended to be that: temporary. So there needs to be a plan that shows how the child will be returned to its originating situation in whatever time is expected, usually three to six months, the guardians having utilized the services or followed the provisos or achieved the goals that were set out in that care plan. In



the absence of a plan it's very difficult for a guardian or parent or whomever to know what it is they are supposed to be doing in order to get the child returned to them, and we want the child returned because we're looking to provide and to ensure stability in that child's life.

We came into this particular way of doing things as a result of a child who had no stability in his life, and it's an irony to me that now, 15 years later, we're unable to fulfill the commitment that was made to that kid. I mean, that's in effect his memorial, these care plans. We need those care plans so that the guardians and the parents know what's required of them, but we also have them there so that the department and the department staff know what's required of them. In fact when you look, the court has a provision for reviews of temporary guardianship orders which mandates that the court consider whether the director has followed the plan for the care of the child filed with the court. So that's empowering the courts to look and say: "Okay. Did the director of child welfare do what they were supposed to do? Let's have a look at the care plan." Well, the care plan has to be filed with the court in order for that to happen.

5:00

We understand that at the end of a TGO a child isn't necessarily returned instantly. If the child is still in need of services, then the director just has to fill out the required forms and reapprehend the child, and they never leave the foster home where they are. But what is incorporated in this is that the director now has to explain why they weren't able to achieve putting that child back into the home, why they weren't able to achieve all of this during the terms of the temporary guardianship order, and therefore what the department is doing or not doing in providing these services to the guardian and to the child.

So when I look at this bill, in effect what it's saying is that the department doesn't have to follow its own rules, and when it gets caught, it's going to turn to the Legislature to clean up the mess that it's made. I think that ultimately, certainly for the people that I've served out of my constituency office, it's the guardians that lose on this and therefore I think indirectly the children that lose because the guardians weren't able to know what was in the service plan. They didn't know what they were supposed to do to get their kids back in most cases. I've had those people in my office, and they don't know what to do. A service plan should have laid that out for them.

We've heard during the discussion and debate on this bill and through questions that have been asked in question period that the orders all existed. Well, if they all existed, why weren't they filed? Well, maybe they didn't all exist; maybe just some of them existed. You know, there was a reason that we wanted those care plans. They should have been done. They weren't done, so why aren't we going back and saying, "Then do them and do them properly"? Instead, Bill 24 essentially says: forget all of that; we're going to sweep the plate clean and start over again. Well, that's hard news for a lot of families.

My colleague from Edmonton-Mill Woods talked about having to hold his nose and vote for this bill just in order to get this whole thing moving again for these kids. Boy, I find that very tough to do as a legislator when we cannot write legislation well enough and ensure that the government's departments are able to fulfill that legislation. I find it very difficult to then have it come back into this Assembly and go: okay; well, forget it then; it was just too hard. That's unacceptable to me.

There's a degree of arrogance that's in this bill that really doesn't sit well with me. Just the wording:

Despite any decision of any court, a temporary guardianship order for which a plan for the care of the child has not been filed in accordance with section 31(3) is deemed to be valid from the date the order was made.

There's just an arrogance in that statement: well, we'll just override the courts; we'll just change it all then. I think that there's something underneath that that's much worse than simply not upholding what the courts have said.

I think that when we look at words like "taken into care" and "custody" and "protective services" and "guardianship," that's all language that we use around the care of children in this province, and when the family is not able to care for the children for whatever reason, then the state or the government steps in and they assume the role of protector, of intervenor. They're going to make it right. And that's what those temporary guardianship orders are about. How do we make it right? What does everybody have to do to fix this situation? Well, if you're not willing to do that plan that tells everybody what they have to do to make it right, then we're never going to accomplish this and move it forward for these kids.

A little earlier in the debate this afternoon the Member for Airdrie-Rocky View talked about how impressed she was with the Children's Services budget going from 160 some odd million dollars 10 years ago to \$600 million in this budget, and isn't that great, and doesn't that prove how we're doing right by our kids in Alberta. Well, yes, but at the same time I go: gee, how many kids did we have in protection? For how many children was the state a guardian 10 years ago, and how many now? We know that it's more now. So it's appropriate that there's more money now. It's not that that's some great benefice of the government. It isn't. It's necessity. They have to provide for these children.

I'm disappointed – "disappointed" is not the right word – when the government doesn't fulfill that role of guardian, of protector, of intervenor with vigour. I think it's symptomatic of much deeper problems underneath. As we had come out of the court documents, you know, they're saying that they don't have enough resources to do this job. Well, if this is the job that the government is mandated to do as guardian, then they need to provide the resources for it.

I think that this bill has brought to the surface a number of very unhappy situations both within the ministry and within the government, and I'm very sad to see it and angry to see it. I hope that this bill may well inspire the government to do a lot of things a lot better simply because they've been embarrassed into it.

Thanks very much.

THE SPEAKER: The hon. Member for Airdrie-Rocky View on behalf of the hon. Minister of Children's Services to close the debate?

[Motion carried; Bill 24 read a third time]

### Bill 7

#### Agriculture Financial Services Amendment Act, 2002

THE SPEAKER: The hon. Member for Leduc.

MR. KLAPSTEIN: Well, thank you, Mr. Speaker. It's an honour for me to move third reading of Bill 7, the Agriculture Financial Services Amendment Act, 2002.

The contents of this legislation will give the Agriculture Financial Services Corporation expanded responsibility for the business assets, obligations, and opportunities of Alberta Opportunity Company. In other words, appropriate sections from the Alberta Opportunity Fund Act are being incorporated into the AFS Act to allow the business of lending and financial assistance presently conducted by AOC to carry on as part of AFSC. So upon proclamation of this amendment the Alberta Opportunity Fund Act is repealed.

Mr. Speaker, this legislation also allows several changes to be

made relative to AFSC's involvement in providing crop insurance and other safety net products. As well, the act changes the individual lending limit from \$1 million to \$2 million to enable the corporation to deal with some projects it cannot deal with now. As we know, the size of project investments being financed has grown substantially in recent years due to the cost of land, buildings, and equipment.

Finally, Mr. Speaker, this legislation will allow AFSC to act as a seeding insurer or an intermediary through which reinsurance can be offered to other government departments to ensure that fluctuating costs due to unforeseen disasters are not a strain on budgets.

The details of this legislation have been discussed in second reading and in Committee of the Whole. In view of the foregoing I would ask the House to pass this bill now.

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

MS CARLSON: Thank you, Mr. Speaker. Happy to have a final couple of words on Bill 7, the Agriculture Financial Services Amendment Act, 2002. This merger is, as we see, proposed as a means of building on the strengths of both corporations and as a means of saving a million dollars. This is a bill that we have supported and are happy to continue to do so. We'll support the government in calling for the question on this particular bill.

[Motion carried; Bill 7 read a third time]

5:10

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

THE SPEAKER: The hon. Minister of Finance on behalf of.

MRS. NELSON: Thank you very much, Mr. Speaker. On behalf of the Minister of Children's Services I'd like to move third reading of Bill 9, the Child Welfare Amendment Act, 2002.

This act will amend current legislation to allow for interprovincial movement of children who are involved in child welfare. The proposed amendments would allow an apprehension order carried out in another province or territory to be considered as an apprehension in Alberta. The proposed amendment will apply where it is determined by child welfare officials in both the apprehending jurisdiction and in Alberta that it is in the child's best interests to be cared for in Alberta.

Bill 9 will also streamline the telephone application process for apprehension orders. A justice of the peace will be authorized to handle telephone applications for apprehension orders. Through Bill 9 a child welfare worker would be able to speak directly to a justice of the peace rather than have to page the judge on call.

The bill will also allow the Child Welfare Appeal Panel to be bound by the policies of the resources for children with disabilities program. As the Minister of Children's Services has told the House, this amendment will ensure that programs are being administered by policy and not by appeal. Currently the appeal panel is not bound by policy, so the Child Welfare Appeal Panel may overturn decisions concerning matters related to the resources for children with disabilities. The amendments are necessary, Mr. Speaker, to have the program policies upheld and thereby maintain the integrity of the resources for children with disabilities program.

Mr. Speaker, I would ask the House to support third reading of Bill 9.

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

DR. MASSEY: Thank you, Mr. Speaker. I'm pleased to have a chance at third reading to make some comments about Bill 9. Bill 9 has upset many parents with handicapped children in the province. They indicated that the future of their disabled children is being threatened by one particular provision in Bill 9, and that's the provision with respect to the appeal panel. The appeal panel in the past has been free to make wide-ranging decisions, and some of those decisions have resulted in youngsters gaining service and therapies that have made an immense difference in their lives. The fear is that a narrow policy would rule out innovative new therapies and constrain the appeal panel to act in a way that might not always be in the best interests of disabled youngsters.

There's been a great deal of discussion back and forth. I know that there have been meetings with the minister, and the good thing that's happened as a result of those meetings is that the minister has promised that she won't proclaim the bill until the policy has been developed. So it's my understanding that the mandate of the appeal panel will not be changed until the minister puts before parents the policies that are going to guide that panel in the future. I think that that's a welcome development with respect to Bill 9.

There's still a great deal of uneasiness among parents with disabled children that their children are going to be hurt in the long run. I think that at this point we have to take the minister at her word that the policies will not be restrictive, that the policies will result in fair adjudication of appeals that are brought before it.

With those comments I'd like to conclude debate on Bill 9. Thank you, Mr. Speaker.

[Motion carried; Bill 9 read a third time]

**Bill 10  
Public Works Amendment Act, 2002**

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

MR. SNELGROVE: Thank you, Mr. Speaker. I would like to move third reading of Bill 10, being the Public Works Amendment Act, 2002.

The bill simplifies the administrative process. It reflects the relevant court decisions and makes it consistent with the Builders' Lien Act.

Mr. Speaker, I would encourage all hon. members to support Bill 10. Thank you.

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

MS CARLSON: Thank you, Mr. Speaker. In third reading on Bill 10, the Public Works Amendment Act, 2002, I'm happy to report that we will also be supporting this bill. It's a situation where we see that the government has done extensive stakeholder consultation, and when they do that, then there doesn't seem to be any problems that come up with the bills. As we understand it, stakeholders do not have all that they want, but they're satisfied with the compromise in this bill.

No doubt, tendering is a complex process, and it's very important to protect taxpayers' money while still giving the government enough flexibility to get projects done. It's good to see that the act now matches the Builders' Lien Act, which we have asked for for some time. We still have some concerns that the time lines in that act may not be sufficient, so perhaps we'll see the government consider reopening the Builders' Lien Act at some point in the future. We would certainly support that. For the time being, not a bad job, and we'll be supporting it.

THE SPEAKER: The hon. Member for Vermilion-Lloydminster to close the debate?

MR. SNELGROVE: No. Thank you.

[Motion carried; Bill 10 read a third time]

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. In light of the progress that we've made this afternoon, I would move that we adjourn until 8 o'clock this evening.

[Motion carried; the Assembly adjourned at 5:18 p.m.]

