

## Legislative Assembly of Alberta

Title: **Monday, April 7, 2003**

**1:30 p.m.**

Date: 2003/04/07

[The Speaker in the chair]

head: **Prayers**

**The Speaker:** Good afternoon and welcome back. At the conclusion of the prayer would you please remain standing for the singing of our national anthem.

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

Now, hon. members and ladies and gentlemen, would you please join in the singing of our national anthem. We'll be led today by Mr. Paul Lorieau.

**Hon. Members:**

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

**The Speaker:** Please be seated.

head: **Introduction of Guests**

**The Speaker:** The hon. Minister of Learning.

**Dr. Oberg:** Thank you very much, Mr. Speaker. It is indeed an honour and privilege today to introduce to you 12 students and six adults who are attending the School at the Legislature all this week. They are from Hussar, Alberta, and the adults are Linda Moczulski, Frances Williams, Jeanne Treacy, Richard Pratt, Janice Fandry, and Yvonne Comstock, as well as 12 grade 5 and grade 6 students. They're the ones that are brightly attired in their School at the Legislature shirts, and I would ask them all to rise and receive the warm welcome of the Legislative Assembly.

**The Speaker:** The hon. Member for Drayton Valley-Calmar.

**Rev. Abbott:** Thank you, Mr. Speaker. It is a great honour for me to rise today. I have three school groups visiting from my constituency today from right across, east to west. First of all, we have Lakedell school, and I'll ask the teachers and parents to stand as I announce their names: Mrs. Cline, Ms Sappok, Ms Jackson, and Mrs. Ollenberger. I'll have the students stand in a minute.

The second school I have, Mr. Speaker, is Calmar school, and we have Mr. Kevin Hancock and Mrs. Yvonne Heitzman.

The third school I have here is Alder Flats elementary school with Mrs. Gina Foster and Mrs. Karen Becker.

We have a lot of excellent students from these three schools, and they're learning lots about the Legislature today. I think some of them also went to the Provincial Museum. So I would ask them all to rise in both galleries and please receive the warm welcome of this House.

**The Speaker:** The hon. Member for Vermilion-Lloydminster.

**Mr. Snelgrove:** Thank you, Mr. Speaker. It's a pleasure for me today to rise and introduce to you and through you to members of the Assembly a young man fresh from the Alberta oil patch; particularly, Akita Drilling rig 3. There is a saying in pool, "It's not what you take; it's what you leave," and I believe that to be the case in our work here as well as in life. If that is the case, then I've played a very good game. It's with a great deal of pride that I ask my oldest son, Craig, to rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Municipal Affairs.

**Mr. Boutilier:** Thank you, Mr. Speaker. It's my pleasure today to introduce three firefighters from the regional municipality of Wood Buffalo in Fort McMurray. They're all very active in their community. Joining me today are Brian Makey, Tony Gordon, and Brad Grainger, and I'd ask them to stand in the public gallery and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Strathcona.

**Dr. Pannu:** Thank you very much, Mr. Speaker. Over the past few weeks of this session we have been honoured to have parents who are concerned about chronic underfunding of public education to come and sit in the gallery, and today is no exception. I'd like to introduce to you and through you to the Assembly several parents, some educators, some students, all wanting to show the government with their presence today that they expect tomorrow's budget to hold good news for all Alberta's children in our public education system. They are Mona Luth; Melanie Shapiro; David Galbraith; Rosalie Anderson; Erica Bullwinkle; Miriam Weinfeld; Patti Clancy-Novosel, president of Edmonton Catholic teachers; and Karen Beaton, president of Edmonton public teachers' local. I'd ask them all to please rise and receive the warm welcome of the Assembly.

Mr. Speaker, I also have a second introduction. They're two members of CUPE, Canadian Union of Public Employees, local 474, who represent the custodial staff in our schools. These two guests are Doug Luellman and Berend Wilting. I'd ask them to please rise and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Children's Services.

**Ms Evans:** Thank you, Mr. Speaker. What a distinct honour and privilege it is today to introduce two members of my community who are seated in your gallery. Their beautiful daughter, Sarah Monkman, has been well known as a page in our Assembly since 2001, and she is with us this afternoon. Her parents are here. They are soccer directors in Sherwood Park. The mother is a nurse, and the father is working in Yemen. He is very happy to be home on a five-week leave of absence so that he is not right in the midst of the conflict overseas. He will, however, be going back on Monday. I would ask, please, that Cheryl and Randy Monkman rise and that this Assembly show them the warm accolades of this community.

head: **Oral Question Period**

### Provincial Fiscal Policies

**Dr. Nicol:** "Sustainable" is the new buzzword used by this government since they announced the creation of their new fiscal framework, but Albertans have been given no idea what this means for priority programs and services. So that Albertans understand what you mean by sustainable, could the Premier explain what it means as it relates to Albertans' priorities in the areas of health care and education?

**Mr. Klein:** Mr. Speaker, it means just that: sustainable; programs that we can sustain over a long period of time at a price Albertans can afford without forcing this government ever again to spend more than it earns, to go into deficit. That's what it means: sustainable. The details relative to the sustainability of this year's budget plus the three-year budget plans will all be tabled tomorrow, and indeed the key word is sustainability – reform, also, to achieve sustainability. The hon. leader of the Liberal opposition will see that tomorrow when the budget is tabled.

**Dr. Nicol:** To the Premier: would a sustainable budget in education include funding to cover teachers' salary increases, technology updates, new classroom supplies, replacement textbooks, cost of service increases, higher utility bills, more funding for special-needs programs, additional costs for infrastructure update and maintenance? Would those all be included in a sustainable budget?

1:40

**Mr. Klein:** Mr. Speaker, I assume that on a reasonable-case basis all those items will be included; on a sustainable basis all those items will be included. But unlike the Liberals, who think money just falls from the sky, we know our limitations relative to the revenues we collect, and we know our limitations relative to the amount of money we have available to spend on essential programs. Indeed, everything we do we want to do to achieve sustainability.

**Dr. Nicol:** Again to the Premier: would a sustainable budget in health care include the funding for cost-of-service increases, population increases, cost-of-drug increases, the aging population, technology costs, and any salary increases being negotiated?

**Mr. Klein:** Well, Mr. Speaker, all these questions are in anticipation of the budget, which will be tabled tomorrow. If the hon. leader of the Liberal Party would wait until tomorrow, I think that he will have an opportunity to judge for himself whether the budget indeed provides sustainability in the areas he mentioned.

### Budget Release

**Dr. Nicol:** Today the Minister of Finance held a press conference to outline the embargo rules for the release of the budget tomorrow. According to these rules, the media will be allowed to see the budget five hours before opposition parties become privy to any of the information. To make matters worse, the media are allowed to file stories before they can speak to any opposition members or other stakeholders. To the Premier: why did the government design a budget release strategy that short-circuits the ability of opposition and stakeholder members of Alberta to comment with the media before they file their stories?

**Mr. Klein:** Mr. Speaker, nothing is being designed purposely to short circuit – short circuit: a Freudian slip – to short-circuit the opposition's opportunity to comment on the budget. Indeed, the hon. Minister of Finance informs me that she didn't hold a news conference today. I don't know the details relative to how the press are to obtain the budget, the rules of the embargo, but I'll have the hon. minister respond.

**Mrs. Nelson:** Well, Mr. Speaker, the process has been very clearly worked out. It's not different. There is always an embargo and a briefing process that takes place with any budget that comes forward, but nothing has changed. I certainly didn't have a press conference today. The media came into my office and took a picture prebudget, and that was it. There was no press conference.

**Dr. Nicol:** Mr. Speaker, I apologize to the minister. I called it a press conference. It was a press release that we got in our office that outlined it. I apologize to her.

To the Premier: are these embargo rules a way to get around the Speaker's ruling that members of this House have to have access to information before the media approaches them?

**Mr. Klein:** Mr. Speaker, as the hon. Minister of Finance pointed out, the embargo process is the same as it has been in previous years. As far as I know, nothing has changed or is about to change, but again I'll have the hon. minister respond.

**Mrs. Nelson:** Well, Mr. Speaker, clearly, let's be very honest. We always have a process of embargo before a budget address is made in this Assembly. We follow that process very clearly. We do also make sure that people are briefed properly. We have the most open budget process that you could have in Canada, and we're the one government that prides ourselves on having full disclosure through our budget process. I don't know what the hon. Leader of the Opposition is concerned about. I'm quite rigid on those processes. I don't circumvent the procedures, and I tend to follow them to a T.

**The Speaker:** The hon. leader.

**Dr. Nicol:** Thank you. Then to the Minister of Finance: why is the minister holding a news conference that opposition members cannot attend that may contain information the opposition members maybe have to respond to later that day?

**Mrs. Nelson:** Well, we have a standard embargo process, Mr. Speaker, that we have followed year after year after year, and we haven't changed that process.

**The Speaker:** Third Official Opposition main question. The hon. Member for Edmonton-Mill Woods.

### Edmonton Public School Board Operational Review

**Dr. Massey:** Thank you, Mr. Speaker. In the tale of the two city school boards Calgary public gets the money and Edmonton public gets an audit. My question is to the Premier. Now that Calgary public is looking at a \$30 million deficit, will the government be ordering an audit of their books, or will they just be writing another cheque?

**Mr. Klein:** Mr. Speaker, I'll have the hon. Minister of Learning supplement my answer, but any news report relative to a possible or an anticipated deficit by the Calgary public school board is purely speculation at this particular time. We won't know for sure until we have a chance to review their budget in detail.

Relative to where the budget is, the status quo of the situation as it pertains to Calgary, I'll have the hon. minister respond.

**The Speaker:** The hon. minister.

**Dr. Oberg:** Thank you very much, Mr. Speaker. As the hon. member well knows, there was \$7 million given to Calgary public that was given because they had extraordinary costs from the arbitration settlement. The \$7 million put all the boards on the same footing. Approximately a week ago the Calgary public board came out that they were anticipating a \$30 million deficit. We have contacted them, we have worked with them, and quite frankly it's very hard for them to nail down an exact figure. They don't know

enrollment. They don't know what is included in our budget. There are a lot of unknowns, and in their own words they said that it was probably a worst case scenario. But we will be working with them over the next three or four months to help them in much the same fashion as we helped Edmonton public.

**The Speaker:** The hon. member.

**Dr. Massey:** Thank you, Mr. Speaker. My second question is to the Minister of Finance. Does the minister agree with the Edmonton audit recommendation that capital assets be sold off to meet school board operating costs?

**Mrs. Nelson:** Well, Mr. Speaker, I think the question is more appropriately put to the Minister of Learning. He'll be bringing a recommendation forward to us.

**The Speaker:** The hon. minister.

**Dr. Oberg:** Thank you very much, Mr. Speaker. There is no such recommendation in the review that was done of the Edmonton public. The Edmonton public sold an administration building for \$1.9 million. These were their dollars. They were funded completely by the Edmonton public school board. They were not moneys received from us at all. They wanted to put that towards their deficit, and we gave them the approval to do that. Included in the audit are approximately \$1.6 million of capital expenditures that will occur over the next six months. We suggested that about a quarter of those could probably be put off until next year. Those are the only recommendations on capital that are included in this review.

**The Speaker:** The hon. member.

**Dr. Massey:** Thank you. My third question is to the Minister of Learning. Given that Edmonton public saved millions of dollars by eliminating a number of associate superintendents, does the minister support the Edmonton audit recommendations that would see this administration returned to oversee principals?

**Dr. Oberg:** Well, Mr. Speaker, what my people did when they took a very close look at Edmonton public is very quickly come to the realization that the chief financial officer is number 215 on the organizational chain. A chief financial officer is a very important position and does not report directly to the superintendent. As a matter of fact, he reports to an executive director. There are 208 principals that report directly to the superintendent, and what they have recommended are different approaches as to how their administration can handle some of the issues that were raised in the review, but the bottom line on it is that there needs to be more accountability for how the dollars are spent. Those are purely recommendations. Ultimately, if there is a change in management style, it will be at the request of Edmonton public and it'll be of their volition.

**The Speaker:** The hon. leader of the third party, followed by the hon. Member for Medicine Hat.

**Dr. Pannu:** Thank you, Mr. Speaker. The government spent two months sending a team of auditors and investigating the books of Edmonton public schools. This audit was largely an exercise in public relations and a waste of resources. While it's easy to be a Monday morning quarterback and second-guess specific budget line items, the bottom line is that Edmonton public has been a responsible steward of public dollars. When all is said and done, the

minister's audit concludes that the government shortchanged Edmonton public by millions of dollars. My questions are to the Minister of Learning. In light of his own audit report, why is the minister refusing to fully fund the Edmonton public budget deficit for this year?

**1:50**

**Dr. Oberg:** Well, thank you very much for that question. He's raised about three different issues that I'd be more than happy to comment on. First of all, Mr. Speaker, when it comes to the actual budget, what we did is looked at their figures. There were \$2 million that were questionable as to whether or not it really was a deficit. At another point in time there was \$1.2 million that they had not added in. There was \$1.9 million that was received as a result of the sale of an administration building, which I commented on earlier. There's another \$1.6 million, roughly, that we feel that they can find over the next five months. Obviously, five months is five-twelfths of their budget year, and we feel that they can reasonably do it.

The other issue, I think probably the key issue, that is in this Edmonton public audit is that when Edmonton public put out their per unit teacher costs in April of 2002, the figure that they used was \$62,828. Mr. Speaker, the figure that they had used for 2001 was \$62,953, so they had actually shown a decrease in teachers' salaries despite the fact that this Legislative Assembly voted on a minimum 6 percent increase for teachers, despite the fact that there had been settlements in the 11 to 12 percent range. It would have been a lot easier. Six percent of the roughly \$300 million in teachers' salaries is \$18 million, and that probably would have solved their deficit issue.

**The Speaker:** The hon. member.

**Dr. Pannu:** Thank you, Mr. Speaker. Why has the government chosen to waste public dollars on an internal audit if the minister now has decided to ignore it and not fully fund Edmonton public schools' deficit this year?

**Dr. Oberg:** Well, again, a very interesting question, Mr. Speaker. The review was done by people from my own staff. The review was done with full co-operation of Edmonton public, full co-operation of the administration and the principals, and in reality the Edmonton review cost us nothing.

**Dr. Pannu:** My second supplementary to the same minister, Mr. Speaker: how does the government expect Edmonton public to find an additional \$1.6 million in savings in the five remaining months of this school budget year, especially when most of the savings involve adding costs to next year's budget?

**Dr. Oberg:** Well, again, Mr. Speaker, I'm really happy that the hon. member is asking me these things. First of all, we have suggested reducing the discretionary spending and freezing the discretionary funding. The next thing is reviewing the capital projects, and as I said earlier, we suggest that they freeze approximately 25 percent of the projected expenditures on capital projects. Third of all is filling nonessential positions that are vacant. That's how we expect the \$1.6 million to come.

**The Speaker:** The hon. Member for Medicine Hat, followed by the hon. Member for Edmonton-Glengarry.

#### Medicine Hat Arts Centre Funding

**Mr. Renner:** Well, thank you, Mr. Speaker. The city of Medicine

Hat is currently in the final planning stages for construction of a major performing and visual arts centre and museum in downtown Medicine Hat. The total budget for this project is estimated to be approximately \$32 million. While the vast majority of the funding will come from the city of Medicine Hat itself, both the provincial and federal governments have made significant contributions. In addition a fund-raising drive is currently under way to solicit funds from individuals and groups within the area. My questions today are to the Minister of Gaming. Given that the number of community organizations who wish to contribute to this project derive a significant portion of their income from either casinos or bingos, why have your officials told these groups that contributions to this project are not allowed within the regulations governing the spending of gaming dollars?

**The Speaker:** The hon. minister.

**Mr. Stevens:** Thank you, Mr. Speaker. This year we anticipate that some thousands of not-for-profit groups will earn about \$200 million as a result of being licensed for casinos, bingos, or raffle tickets. This particular process is the very heart of gaming. It's called the charitable model. The charitable model is based upon the Criminal Code of Canada, which indicates that there must be eligible uses for such proceeds, and those eligible uses are for religious or charitable purposes. It specifically provides that an organization that is a government or part of a government is not eligible, and as such that is the reason that the hon. member's groups have been told what they have. I might add, however, that this government has a number of granting agencies – namely, the community facility enhancement, CIP – which certainly might be able to provide some assistance because the rules are different in that regard, and in 2000 this particular organization received a centennial enhancement grant of some \$3.5 million.

**The Speaker:** The hon. member.

**Mr. Renner:** Thank you, Mr. Speaker. My next question to the same minister: given that there'll be a number of significant user groups in this new facility, would it be possible for these user groups to make contributions of their casino or bingo dollars to this project?

**Mr. Stevens:** Mr. Speaker, there's absolutely no doubt that this project will be of public benefit to the members of the Medicine Hat community and surrounding area, but the project, notwithstanding the nature of its benefit, will continue to be one that is part of government and, as such, will not be eligible for the proceeds of casinos, bingos, or raffles. However, the user groups that raise such funds certainly might be able to provide some support. The AGLC, the Alberta Gaming and Liquor Commission, is working with those groups at this point in time to determine ways in which they might be able to provide some assistance. For example, it may be possible that a theatre group would be able to provide a set or such products through casino proceeds.

**The Speaker:** The hon. member.

**Mr. Renner:** Thank you, Mr. Speaker. My final question: how will the minister ensure that these affected groups are made aware of these opportunities that he's outlined today?

**Mr. Stevens:** Mr. Speaker, one of the things that Gaming is very proud of is the extent of the information on our web sites, and in this particular case all of the information with respect to eligible use of proceeds is contained on the AGLC web site at [aglc.gov.ab.ca](http://aglc.gov.ab.ca).

I might also add in this regard that the hon. Member for Calgary-Cross is in the process of finalizing a report with respect to the eligibility and use of proceeds. It will be available sometime over the course of the next month or so, and that will also be on the web site.

#### Civil Fraud Suit

**Mr. Bonner:** Mr. Speaker, Raymond Reshke, a former Assistant Deputy Minister of Infrastructure, was charged last summer with fraud for allegedly illegally funneling more than \$100,000 of taxpayers' money to a friend's company. Criminal charges and a civil suit were filed against Mr. Reshke, but three weeks ago the civil suit against Mr. Reshke was dropped. To the Minister of Justice: why did this government drop its civil suit against Mr. Reshke?

**The Speaker:** Hon. minister, let's just be very cautious of the sub judice provisions with respect to this line of questioning and answering.

**Mr. Hancock:** Mr. Speaker, I take your admonishment very seriously. The matter is still before the courts with respect to the criminal matters, and I think it would be inappropriate at this time to comment further.

**The Speaker:** The hon. member.

**Mr. Bonner:** Yes. Given that the civil suit was dropped, Mr. Speaker, and given that the province is not one of Mr. Reshke's secured creditors, how much of this money will taxpayers get back through this agreement?

**Mr. Hancock:** I think, Mr. Speaker, that at an appropriate time and in an appropriate place those matters could be and perhaps should be discussed in this House, but I would be very reluctant to discuss any details relative to that matter while it's still before the courts.

**Mr. Bonner:** To the Minister of Infrastructure: given that taxpayers have already been fleeced because of your department's lack of transparency, when are you going to release all the records relating to sole-source contracts so that Albertans know that they're not going to get fleeced again?

**Mr. Lund:** Mr. Speaker, I think that we went through this once before where we clearly laid out what the new procedures are within Infrastructure, so I'm sure that if the hon. member is really interested in learning the new procedures, he can easily find those.

**The Speaker:** The hon. Member for Edmonton-Rutherford, followed by the hon. Member for Edmonton-Gold Bar.

#### Edmonton Public School Board Operational Review (continued)

**Mr. McClelland:** Thank you, Mr. Speaker. My question is to the Minister of Learning. In February the Edmonton public school board indicated that it was facing a funding crisis as a result of a projected \$13.5 million deficit in a \$577 million budget. Today, following the operational review by the Department of Learning, the minister has indicated that the deficit will be \$5 million, not \$13.5 as originally projected. My question: what was the most significant issue that the review team found that resulted in the significant reduction in the projected deficit, and what led to the deficit in the first place?

2:00

**Dr. Oberg:** Again, Mr. Speaker, what I will basically answer that question by is sort of a compilation of my last two answers. First of all, the accumulated deficit at schools was projected to be \$3 million by the Edmonton public school board. The accumulated deficit at central services, which is basically administration, was deemed to be \$3.8 million. They had O and M shortfall of \$3.4 million, and they had grade 10 funding changes of \$0.5 million and unplanned special-needs cost pressure of \$1 million. The total of this was \$11.7 million. So when we went in and actually did the operational review, we could only find \$11.7 million of the original \$13.5 million utilizing their own numbers.

What we then did is we removed \$2 million for Metro College. The reason for that is that all of Metro College's work will be coming in the upcoming summer months. A lot of their expenses are due to an hourly wage paid to teachers, Mr. Speaker, and they do not know how many students they have. We fully expect, in conversations with Edmonton public administration, that Metro College run on a cost-neutral basis. So that \$2 million was taken out. We then looked at the actual cost savings, which would be approximately \$1.6 million. There was \$1.2 million that was a one-time transfer from operations and maintenance and \$1.9 million from the sale of the administration building, which led to the ultimate number of \$5 million, which they will be allowed to carry over three years.

**Mr. McClelland:** To the same minister: therefore, the 350 teachers that the Edmonton public school board has indicated would be laid off and programs reduced, is that necessary? Will that happen?

**Dr. Oberg:** Mr. Speaker, I do not feel that they have enough information at this time in order to make a proper budget. They have not put in AISI funds. They do not know what is in the budget tomorrow. They do not know how many teachers are going to retire this year. Those three factors alone can account for some \$15 million to \$20 million in difference. So the bottom line is that they have not received any final numbers, but the key component here is that they have to change their budgeting processes so that the dollar amount used per teacher can be flexible and can change with changing conditions. That was the problem last year.

**Mr. McClelland:** To the same minister, Mr. Speaker: is it reasonable to assume that following a similar operational review other school jurisdictions could find the same savings?

**Dr. Oberg:** Well, Mr. Speaker, I don't believe that that is reasonable to assume, and the reason I say that is that Edmonton public has a very different system. I will say at the outset that Edmonton public has a system that gets excellent results for their students, which is what the learning system is all about. They are a very decentralized system. They are probably the most decentralized system in our province, and for that reason it has led to some of these issues. We are working with them to find areas where they can accumulate economies of scale, where potentially they can get some savings. But the key component here is that the decentralized system has served Edmonton public very, very well in the past.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Edmonton-Castle Downs.

#### Social Assistance Rates

**Mr. MacDonald:** Thank you, Mr. Speaker. This government's bungled energy deregulation policy has caused inflation to sky-

rocket. Now we learn that the government is contemplating a meagre \$20 a month increase for social assistance benefits only for people with children. That amounts to 66 cents a day per family unit and doesn't begin to address inflation over the 10-year period. In fact, that 66 cents will only buy one pound of potatoes in Edmonton on sale. My first question is to the Premier. Why have social assistance recipients with children been chosen for this meagre raise but not single recipients or people with handicaps?

**Mr. Klein:** Mr. Speaker, first of all, this is a budget item, and the hon. member will have ample time to comment on the situation following the budget. But speaking generally, first of all, to reiterate: this is nothing but speculation at this point since the budget has not yet been tabled, but I can tell the hon. member that this government is committed to helping those most in need. Our policy is a hand up rather than a handout, and it must do so in a fiscally responsible way that maintains an incentive to work for those who can work and are receiving SFI. In other words, we don't want to let welfare become a way of life, especially for those who can work.

I would point out also, Mr. Speaker, that people on SFI have other sources of assistance that aren't generally cranked into the general payment scheme, nor are they taken under consideration when we talk about SFI payments. These include child benefits, medical coverage, training funds, and special-needs assistance, along with other programs. As well, people on SFI can earn a certain amount of money each month without having their benefits reduced. The program as it exists is a very generous, a very fair program – a fair program – and what we want to achieve is fairness, but relative to what is going to be done in the future with respect to SFI, that remains for the budget to address.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you. Again to the Premier: if this benefit program is so generous and so fair, how was the decision made to offer those citizens only a 66-cent a day increase in their benefits? What's so generous and what's so fair about that?

**Mr. Klein:** Mr. Speaker, I would reiterate: I'm not going to go through what I just went through, but I would tell the hon. member to wait until tomorrow. The budget will be tabled tomorrow, and at that time he'll have ample opportunity to debate the budget.

**Mr. MacDonald:** Again, Mr. Speaker, to the Premier: why does this government continue to discriminate against the poor and vulnerable citizens of this province? Why do you continue with your discrimination?

**Mr. Klein:** Mr. Speaker, we don't discriminate. As a matter of fact, we do exactly the opposite. We deliberately go out and seek out those who truly need help in society, to find out, first of all: do they need SFI, or do they need AISH? And for those who are severely handicapped, we have assured income. For those who need SFI, we look after them. For those who can work but need some encouragement to get out, we will provide skills upgrading, job retraining, educational opportunities. Hardly discrimination. A hand up instead of a handout is not discrimination; it is the right way to do things.

**The Speaker:** The hon. Member for Edmonton-Castle Downs, followed by the hon. Member for Edmonton-Centre.

#### Edmonton Public School Board Operational Review (continued)

**Mr. Lukaszuk:** Thank you very much, Mr. Speaker. The opera-

tional review of the Edmonton public school board released today by the Minister of Learning outlines some interesting information and recommendations. The report highlights that Edmonton public has a very decentralized decision-making system as a result of its, quote, unquote, site-based decision-making model and recommends a number of changes to the board that the board can consider to gain systemwide efficiencies. My questions today are to the Minister of Learning. Is the minister suggesting through his report that the board reconsider its decentralized model?

**The Speaker:** The hon. minister.

**Dr. Oberg:** Well, thank you very much, Mr. Speaker, and thank you for that excellent question. First of all, we are not asking the board to reconsider their decentralized model. I think their decentralized model has a lot of pluses. What we are suggesting to the board to take into consideration is that they look at things, for example, like janitorial services or operation and maintenance, where the principal does not necessarily have the expertise to make the decision. The principal is the educational leader of the school. It isn't necessary that he knows about when to replace windows or when not to replace windows, things like that. What we are suggesting – and I will say that it is a suggestion – is that some of the cost savings through economies of scale could be seen if they did some of these on a centralized basis, but the decentralized component, as I said previously, has served Edmonton public from an educational point of view extremely well.

2:10

**The Speaker:** The hon. member.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. To the same minister: the Edmonton public school board must find \$1.6 million by the end of this school year. Can the minister outline the cost saving measures that can be taken to meet that target?

**The Speaker:** The hon. minister.

**Dr. Oberg:** Thank you very much, Mr. Speaker. We have looked at four specific areas that we feel Edmonton public can reduce by \$1.6 million. First of all, there's a reduced capital-based budget, which is roughly about \$1.2 million, \$1.3 million. We have suggested that they take about \$0.4 million of that and save that for this year. We've also suggested that discretionary spending be frozen. That would save them about \$300,000. The other thing, which is very important, is that the unfilled positions that are out there right now would save them about \$500,000 from this time forward if they did not fill them. Lastly, if they were to defer some of their maintenance that was nonessential maintenance that is done over the summer, they would have a saving of about another \$400,000. The bottom line, through to the hon. member, is \$1.6 million from a budget that is \$578 million. That is what we're asking of them in this review.

**Mr. Lukaszuk:** Mr. Speaker, to the same minister: are the recommendations outlined in the review report just that, recommendations to the school board, or is the school board required to follow them verbatim?

**Dr. Oberg:** Mr. Speaker, they are recommendations through to the school board. The school board ultimately has the decision-making capability to follow them or not to follow them. I have said that they're able to have a \$5 million deficit this year that will be carried over three years, but it is extremely important that we continue to

monitor with them to ensure that they are following so that they will stay with the \$5 million deficit.

### Condominium Property Act

**Ms Blakeman:** Mr. Speaker, the concept of one person, one vote is essential to our democratic system, but under the Condominium Property Act the weight of a person's vote is based on geographical space and money. My questions today are to the Minister of Government Services. Given that people pay thousands of dollars per year in condo fees for services, does the minister not believe that these condo residents should have equal voting power with each other?

**Mr. Coutts:** Well, Mr. Speaker, the legislation, the condominium act, was developed in this House and debated in this House just recently, within the past five years, and the very basis of the condominium act that came forward was the fact that based on consultation with the people in the industry, with developers, with condo owners, the issue of voting rights was directly attributable to the unit factor of the amount of property that they owned in the condominium. So there lies your fairness.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you. Does the minister see it as democratic, then, for the importance of people's votes to vary depending on their unit factor?

**Mr. Coutts:** Well, Mr. Speaker, the greater the stake in the condominium that the shareholder has, then the greater the voice the shareholder should have, and that's just a very, very basic rule of the investment that individuals or developers make in a condominium.

**Ms Blakeman:** Well, given that the act has been amended twice in the last six years, will the minister do the right thing: open the Condominium Property Act and fix the inequity instead of so blithely telling condo owners to go to court and spend thousands of dollars to get their democratic rights?

**The Speaker:** The hon. minister.

**Mr. Coutts:** Well, thank you, Mr. Speaker. We do receive a few complaints on this issue in terms of the condominium act, but very few complaints have actually come into our department. I know of various members in this House who have had meetings with condominium owners. People from our department have come out and explained the situation, explained the act in detail, and people have walked away understanding what the condominium act says, so I don't see any reason for opening up this act at this time.

**The Speaker:** The hon. leader of the third party, followed by the hon. Member for West Yellowhead.

### Education Funding

**Dr. Pannu:** Thank you, Mr. Speaker. Despite the fact that the government singled out the Edmonton public school board by siccing the auditors after them, school boards right across the province are telling the government that its suggested 2 percent funding increase will leave them facing huge budget deficits next year. Edmonton public is facing a \$17 million deficit next year. Grand Prairie public is facing a \$1.7 million shortfall next year. Calgary public is facing a whopping \$30 million shortfall next year.

My first question is to the Minister of Learning. What's it going to take to convince this minister that the 2 percent increase in instructional grants planned for next year will leave massive school board deficits in its wake from one end of the province to the other?

**Dr. Oberg:** Well, Mr. Speaker, first of all, I will not comment on what is coming in the budget tomorrow. As far as the numbers that the hon. member has thrown out, quite frankly, they're fictitious.

**The Speaker:** The hon. member.

**Dr. Pannu:** Thank you, Mr. Speaker. My next question is to the Premier. Why is the government turning its back on the province's children by refusing to provide adequate funds so that school boards are forced to either run huge deficits or engage in massive cost cutting including staff layoffs, threatening the quality of education that the children of Alberta deserve?

**Mr. Klein:** Mr. Speaker, I really take exception to the fact or to the statement – not the fact because certainly it's not factual – that we're abandoning Alberta's children. Our commitment to children is as strong if not stronger than it has ever been. I would remind the hon. member that generally there's been a 46 percent increase in education funding I believe over the past six years. Enrollment on average throughout the province has grown by only 6 percent. That to me represents a demonstrable commitment to the children of this province and to the education of those children. I think it's irresponsible of the hon. member to stand up and say that we have abandoned our commitment to children.

Mr. Speaker, our commitment to children is very strong through the Department of Learning, through the Department of Children's Services, through the Department of Aboriginal Affairs and Northern Development, through the Department of Human Resources and Employment, and numerous other departments. As a matter of fact, if this hon. member had been listening carefully to the throne speech, he would have found that the theme of the throne speech is indeed the future, and the future is the children.

**Dr. Pannu:** My last question to the Premier, Mr. Speaker: given the Premier's apparent commitment to the children of Alberta, why does his government prefer to let at least \$3 billion sit in the bank waiting for debt to mature while refusing to invest a small fraction of it in Alberta's children by providing increases to school boards that will avoid the need for massive deficits or cost cutting in our classrooms?

**Mr. Klein:** Mr. Speaker, this speaks to an entirely different matter. This speaks to debt pay-down and the money we have put in reserve to accommodate our commitment to pay down debt. Relative to why that money is sitting there, I'll have the hon. Minister of Finance address that particular question.

**Mrs. Nelson:** Well, Mr. Speaker, as the hon. member opposite knows, on an annual basis we have been putting money aside to pay off debt and we've put it into a debt retirement account and it's been earning interest. As the debt matures, then we have been able to pay it off as it comes due. We can't pay our debt off any faster, or we face a fierce penalty to try and prepay it, so we've been putting money aside to pay it as it comes due. That's why that money is there.

**The Speaker:** The hon. Member for West Yellowhead, followed by the hon. Member for Edmonton-Ellerslie.

## Coal Mining Industry

**Mr. Strang:** Thank you, Mr. Speaker. West Yellowhead has lost 95 employees at the end of this month with the suspension of Obed Mountain Coal. Also, by the end of this month we'll be losing 190 people at Cardinal River Coal. Can the minister of human resources tell these employees what help we can give to get them back into the workforce?

2:20

**The Speaker:** The hon. Minister of Human Resources and Employment.

**Mr. Dunford:** Thank you, Mr. Speaker. Well, part of our mandate, of course, is to help people find work. What we've been doing in cases similar to this in the past is see how our normal operating systems are able to handle a particular situation, and if so, then we proceed with that. But every once in a while we get into a situation where a community is impacted quite severely, and this might be another one of those cases. We're not sure at this point. If so, we have the ability then to move people from other parts of our operation into a community and then start working right at ground level.

Now, the kinds of things that we can do are of course inventory the basic skills that are available then within that group of people and see what it is that we'll have to do in that particular case, and from there we can start to develop employment programs, educational programs, whatever is necessary to get these people and this community back on its feet.

**The Speaker:** The hon. member.

**Mr. Strang:** Thanks, Mr. Speaker. My first supplementary question is to the hon. Minister of Energy. Would the minister please explain how the rest of the coal leases at the old Smoky River Coal Limited company will be proceeded with?

**Mr. Smith:** Well, Mr. Speaker, that's a good question. Firstly, let me say that one of the difficulties about the coal market is of course the volatility of the price and the contingent supply/demand imbalances that occur throughout the world. Make no mistake about it: people in Hinton and Grande Cache in the coal mining industry of Alberta play in a very rugged and a very brutal international marketplace. So when I heard last week of the impending closures and the pause on the Cheviot mine development, it was with regret and some sadness, because this is a skilled workforce. This is a workforce that can deliver good results. They've been trained in the Alberta advantage, and so they deliver.

One of the things that we can do, Mr. Speaker, with respect to other leases up there is to try to find expedient methods in which to develop these or put them out for tender or have the private sector get involved as quickly as possible so that we don't lose this talent pool resident in the member's constituency. I will be speaking with them in detail, and we have been working since the minute we heard of the impending closures and the impending job losses on other avenues of development up in that area that can put good Albertans to work in that area.

**The Speaker:** The hon. member.

**Mr. Strang:** Thank you, Mr. Speaker. My second supplementary question is to the same minister. Would the minister explain what we're doing on the coal bed methane fields now?

**Mr. Smith:** Well, Mr. Speaker, there are opportunities with respect to coal bed methane. There is no change in our regulatory structure now, but we are asking for consultation throughout Alberta from all types and all walks, and it's a public process. We also feel, Mr. Speaker, that there might be added value in these coal beds with respect to coal bed methane. In fact, in the United States some 7 to 8 percent of the total U.S. supply of natural gas was obtained through coal bed methane extraction. These wells are very much different from our traditional natural gas wells in Alberta. They're very small volume; they're about 100,000 cubic feet per day – that kind of pressure you can literally put your hand on and close it down – in comparison with some gas wells that blow 20 million cubic feet a day in production.

So, Mr. Speaker, we are working very closely with industry and with stakeholders with respect to developing coal bed methane in an efficient, environmentally responsible, and safe manner, as we have developed all the other resources in this province.

### Mercury Exposure

**Ms Carlson:** Mr. Speaker, every environmentalist and health official knows that mercury is hazardous to human and environmental health. Long-term exposure to mercury can result in damage to the nervous system, heart, kidneys, and digestive system, and exposure to mercury can cause brain damage in fetuses. Alarming, Alberta has a large number of mercury hot spots, 18, compared to two in B.C. and five in Saskatchewan. My questions today are to the Minister of Environment. What is this government doing to clean up the disproportionate number of mercury hot spots in this province?

**Dr. Taylor:** Well, Mr. Speaker, as poorly as I feel, I still find that question amusing because the mercury hot spots she's referring to that were identified in that study clearly are mercury that is occurring in natural coal seams that are already in the ground. There's not much the government can do to fix the naturally occurring mercury in natural coal beds, but of course we'll continue to monitor.

**Ms Carlson:** Mr. Speaker, we don't agree with that assessment at all. What is the minister doing to address the 18 hot spots in Alberta that are occurring primarily in rural areas to ensure that residents of those areas know what they're dealing with in the work environment and in the total living environment that they're exposed to there?

**Dr. Taylor:** Mr. Speaker, quite clearly, she didn't understand the first answer. The hot spots that she refers to: the samples were taken from coal seams, coal seams in the ground that were placed there how many millions of years ago. That's where the hot spots were from, from naturally occurring mercury in coal beds in coal seams. I encourage her to listen to the answer.

**Ms Carlson:** Mr. Speaker, if we take a look at those hot spots in this province, they all lie along the coal seams that are now currently being mined. This government has some responsibility. What are you doing?

**Dr. Taylor:** Well, Mr. Speaker, I would like to be able to say that as Minister of Environment I can, you know, undo millions of years of work, but unfortunately I can't do that.

Of course, as we burn coal, we have very strict standards on the emissions. We have some of the toughest standards in the country. But these mercury hot spots she's talking about have nothing to do with the burning of coal. They are occurring in natural coal bed seams, and as I said, we'll monitor it.

**The Speaker:** Hon. members, we've arrived at a point where my list is now exhausted. We still have time; the first member up gets a crack.

The hon. Member for Edmonton-Ellerslie.

### Environmental Enforcement and Monitoring Policies

**Ms Carlson:** Thank you, Mr. Speaker. I would like to address more questions to the Minister of Environment today. As we see that tomorrow is budget day and we know that the biggest downfall with this government on the environmental side has been the enforcement and monitoring policies, has this minister aggressively pursued more money for enforcement and monitoring in this province?

**Dr. Taylor:** Absolutely, Mr. Speaker.

**Ms Carlson:** Can he tell us how and what kind of dollar figures we see coming in terms of not only money but people?

**Dr. Taylor:** Mr. Speaker, watch tomorrow.

**Ms Carlson:** Mr. Speaker, hardly an adequate response.

Can this minister tell us that we're going to see more people in the field starting Wednesday morning?

**Dr. Taylor:** Well, Mr. Speaker, whether we put more people in the field is really not important. What's going to happen is that we will continue to maintain high standards, the highest standards in the country, on environmental issues.

**The Speaker:** Hon. members, before we introduce the first hon. member for Recognitions, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

(reversion)

**The Speaker:** The hon. Member for Clover Bar-Fort Saskatchewan.

**Mr. Louheed:** Thank you, Mr. Speaker. I'm pleased to introduce from Elk Island public schools the chair and vice-chair, Maureen Towns and Pat McLauchlan; also, the associate superintendent, Brian Carbol; science and technology director, Edna Dach; Rob McPhee, the superintendent; and Carol Moen from Dow Chemical. I'd ask that they rise in the gallery and be recognized by the Assembly.

head: **Recognitions**

**The Speaker:** The hon. Member for Little Bow.

2:30 **Call of the Land Radio Program**

**Mr. McFarland:** Thank you. Mr. Speaker, today marks the 50th anniversary of a unique radio program that is dedicated to and a proud sponsor of Alberta's agricultural industry. *Call of the Land* is broadcast weekdays on 20 radio stations in Alberta and two in B.C. First broadcast on April 1, 1953, with announcer Everett McCrimmon, today *Call of the Land* originates from the J.G. O'Donoghue Building in Edmonton. Announcer Jack Howell has been keeping Alberta farm families and the ag community current on the latest technologies, research, market trends, upcoming events, and government programs since 1970.



Other hosts of *Call of the Land* since 1953 include Ken Blackley, Stu Wilton, Scott Flewitt, Ed Hamula, Lynn Malmberg, John Andrew, Warren Wismer, Don Potter, Douglas Pettit, Phil Thomas, and Gerard Vaillancourt.

Mr. Speaker, *Call of the Land* is an Alberta institution, and I'm pleased today to acknowledge and congratulate everyone who's been connected with *Call of the Land* for the past 50 years.

**The Speaker:** The hon. Member for Calgary-Shaw.

**Catriona LeMay Doan  
Jeremy Wotherspoon**

**Mrs. Ady:** Thank you, Mr. Speaker. I'm very pleased to rise today on behalf of the hon. Minister of Finance to recognize two very special constituents who were honoured by the Minister of Community Development as Alberta's male and female athletes of the year at the Alberta Sport, Recreation, Parks & Wildlife Foundation awards banquet last Thursday.

Catriona LeMay Doan has broken the world record in long-track speed skating eight times, including a gold medal performance at the 2002 Olympics, and became the first Canadian ever to defend a gold medal at any Olympic Games.

Jeremy Wotherspoon is a nine-time World Cup championship speed skater who holds 25 world records, the most ever by a speed skater in the history of the sport. He has won 74 World Cup medals, which places him third in World Cup history.

Jeremy and Catriona have both achieved exceptional levels of success and have become incredible ambassadors for our province and role models for many aspiring Albertans. Please join me in congratulating them.

**Partners for Science Program**

**Mr. Louheed:** Mr. Speaker, I'm pleased to rise in this Assembly to recognize a unique and highly successful science education partnership. I'm referring to a hands-on, curriculum-based science program called partners for science, that's offered to students attending Elk Island public and Elk Island Catholic schools.

Every educator knows that science is best learned through hands-on activities. The partners for science program facilitates a teacher's efforts to provide students with the very best learning experience possible.

Partners for science has been very effective. Elk Island public and Catholic students are consistently and significantly outperforming their provincial peers in terms of average achievement and highest achievement in science.

This innovative public/private partnership is supported by major and ongoing funding contributions by Dow Chemical. Ten years ago Dow provided almost half a million dollars in seed money for the elementary school program. In addition to providing ongoing funding, two months ago Dow presented Elk Island school districts with a cheque for \$300,000 to launch a junior high version of the program.

Mr. Speaker, I ask that all members assembled join me in recognizing Dow Chemical and partners for science.

**The Speaker:** The hon. Member for Edmonton-Glenarry.

**Alberta Sports Awards**

**Mr. Bonner:** Thank you, Mr. Speaker. Last Thursday evening the 2002 Alberta sports awards were presented to Alberta athletes and to sport volunteers of the year. In addition to Jeremy Wotherspoon

and Catriona LeMay Doan, there were other awards of recognition that were also passed out. Volunteers Marilyn Barraclough, Leigh Goldie, J.R. Kelly Rich, and Yoshio Senda were recognized for their many hours of hard work, determination, and commitment that helped their organizations succeed. The diversity, dedication, and contributions of these individuals are sincerely appreciated, and their distinguished service merits a sport volunteer recognition award.

Deidra Dionne was named junior female athlete of the year. She competed at the 2002 Winter Olympics in Salt Lake City, where she claimed a bronze medal, and her other achievements include six podium finishes at World Cup events and two third-place finishes at the 2002 world championships.

Kyle Shewfelt was named the 2002 junior male athlete of the year for his accomplishments in the past year at the national and international levels in gymnastics. At the 2002 Canadian national championships Kyle placed third all around.

My congratulations to all award winners.

**The Speaker:** The hon. Member for West Yellowhead.

**Weldwood of Canada Recreation Program**

**Mr. Strang:** Thank you very much, Mr. Speaker. Weldwood of Canada began its recreation program in the early 1970s with the development of hiking trails. Most recently it used its own funds as well as contributions from the Forest Resource Improvement Association of Alberta to greatly increase its involvement in forest recreation to benefit all Albertans. This commitment was recognized with an emerald award from the Alberta Foundation for Environmental Excellence in 2001.

For instance, it now co-operates with Community Development to manage 16 campgrounds including 13 provincial sites in the Hinton area as part of the company's special places in the forest program. In addition, it maintains seven hiking, biking, and cross-country ski trails in the area, over 600 kilometres in length. The company does its part to reduce environmental and fire risks arising from uncontrolled random camping.

At this time I'd like to thank Weldwood of Canada for working with Community Development plus Albertans.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Highwood.

**Marilyn Barraclough**

**Mr. Tannas:** Thank you, Mr. Speaker. I rise today to congratulate one of Highwood's constituents, Marilyn Barraclough from Black Diamond, who received an outstanding volunteer recognition award from the Minister of Community Development at last week's Alberta Sport, Recreation, Parks & Wildlife Foundation awards banquet.

Marilyn's dedicated involvement in the Alberta Curling Federation and sport in Alberta stems back to the 1970s. She's been intensely involved with curling on a provincial and national level and was for six years the curling representative for the Calgary Olympic Development Association.

She's also been involved with the Girl Guides of Canada, where she volunteered for many years as the western Canadian representative and is an executive member of the national council.

She was recognized by the Canadian Curling Association and by the Calgary Olympic Development Association for her long-term efforts to promote curling in Alberta and in Canada.

Please join me in saluting Alberta volunteer Marilyn Barraclough.

**The Speaker:** The hon. Member for Edmonton-Strathcona.

### Larry Booi

**Dr. Pannu:** Thank you, Mr. Speaker. I'm pleased to rise and recognize today the outgoing president of the Alberta Teachers' Association, Mr. Larry Booi. Mr. Booi served as vice-president from 1997 to 1999 and assumed the office of the president on July 1, 1999. He leaves this office on June 30 of this year.

Mr. Booi is an outstanding educator and a strong and passionate supporter of public education. He came to the ATA with over three decades of teaching experience with Edmonton public schools. He saw Alberta teachers through the largest teachers' strike in Alberta history in 2002 with exceptional leadership. He led the fight to protect the quality of education of Alberta's children and Alberta's public education system with tenacity and integrity. While he may be leaving this office in a few months, his leadership during this very difficult time for teachers will be appreciated and remembered by parents and teachers alike.

I wish him well and thank him for his service to the children, teachers, and everyone associated with public education in this province. Thank you, Larry Booi.

### Calendar of Special Events

**The Speaker:** Hon. members, before moving on to the next item of the Routine, might I just advise hon. members that April is the following: Daffodil Month and Cancer Awareness Month, international Prevention of Animal Cruelty Month, Parkinson's Awareness Month, Asthma and Allergies Awareness Month, Earth Month, Oral Health Month, Stay Alert . . . Stay Safe Month. It is also the second month of the Easter Seal mail campaign. April 1 was Unpaid Work Day. April 4 and 5 was the 30-hour Famine Day. April 6 to 12 is National Wildlife Week. April 7 is World Health Day. April 14 to April 18 is Law Week. April 15 is Law Day. April 17 is International Hemophilia Day. April 18 is Good Friday. April 19 to May 19 is National Physiotherapy Month. April 20 is Easter Sunday. April 20 to April 26 is Administrative Professionals Week, as it is also National Soil Conservation Week, as is it also National Battery Check Week, as it also is the National Organ and Tissue Donor Awareness Week, as it is also Canada Book Week. April 22 is Earth Day. April 23 is World Book and Copyright Day. April 23 is Administrative Professional Day. April 23 is also St. George's Day. April 27 to May 3 is International Composting Awareness Week, as it is also National Volunteer Week. April 28 is National Day of Mourning, and April 29 is International Dance Day.

### 2:40head: Presenting Petitions

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thank you, Mr. Speaker. I rise today to present a petition signed by about 120 Albertans from all over the province – Calgary, Edmonton, Spruce Grove, Carvel, Sherwood Park, and so on – expressing great concern about education and urging the Legislative Assembly to urge the government to “increase funding for public education.”

Thank you.

### head: Introduction of Bills

**The Speaker:** The hon. Minister of Environment.

### Bill 36 Environmental Protection and Enhancement Amendment Act, 2003

**Dr. Taylor:** Thank you, Mr. Speaker. I request leave to introduce

Bill 36, the Environmental Protection and Enhancement Amendment Act, 2003.

This bill does three things, Mr. Speaker. It strengthens Alberta Environment's ability to develop and enforce consistent, province-wide standards, it gives municipalities and industry the option to report environmental incidents electronically, and it will also improve Alberta's efficiency in the upstream oil and gas remediation and reclamation program.

[Motion carried; Bill 36 read a first time]

**The Speaker:** The hon. Minister of Environment.

### Bill 37 Climate Change and Emissions Management Act

**Dr. Taylor:** Thank you, Mr. Speaker. I request leave to introduce Bill 37, the Climate Change and Emissions Management Act. This being a money bill, Her Honour the Honourable the Lieutenant Governor, having been informed of the contents of the bill, recommends the same to the Assembly.

It essentially builds on Alberta's framework of environmental regulation and ownership and management of its natural resources. It strengthens and complements Alberta's existing legislation on environmental protection, and it also reaffirms Alberta's commitment to sustainable development and our belief that we can maintain high standards and at the same time enhance economic prosperity.

[Motion carried; Bill 37 read a first time]

### head: Tabling Returns and Reports

**The Speaker:** The hon. Minister of Justice and Attorney General.

**Mr. Hancock:** Thank you, Mr. Speaker. It's my pleasure today to table pursuant to Standing Order 58(6) a calendar of Committee of Supply appearances for spring 2003 in anticipation of the budget being delivered tomorrow. Standing Order 58(6), as you will know, allows for the Leader of the Opposition to send a letter to the Clerk requesting appearances. I can assure this House that we have had discussions with the opposition and that they have designated the particular ministries for the appropriate afternoons, and the calendar has been reached in agreement with the opposition.

**The Speaker:** The hon. Member for Edmonton-Strathcona.

**Dr. Pannu:** Thank you, Mr. Speaker. I've got three tablings today. The first one is an article in the *Daily Herald-Tribune* of Grande Prairie dated March 26. This is the report that I quoted in one of my questions. The report in this paper is about the crisis in education, and it mentions that “faced with its largest-ever budget shortfall next school year, the Grande Prairie Public School District board . . . will likely be forced to cut teaching jobs, axe school programs,” et cetera.

The second tabling, Mr. Speaker, is a report based on visits by Mrs. Melanie Shapiro to seven schools in the Edmonton public school district under the umbrella name of the city centre education project, and she draws attention to how the very valuable programs there could be axed as a result of the funding cutbacks.

The third tabling, Mr. Speaker, is the letter based on this report that Mrs. Shapiro has written to the Premier, the Minister of Learning, the Minister of Finance, and the Minister of Children's Services drawing attention to the same looming crisis in this city centre education project, affecting seven schools that serve very needy children.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Glenarry.

**Mr. Bonner:** Thank you, Mr. Speaker. With your permission I would like to table the appropriate number of copies of the program for the 2002 Alberta sports awards banquet, and I know that all athletes and nominees mentioned in here would like to thank the generous support they get from the Alberta Sport, Recreation, Parks & Wildlife Foundation and Alberta Community Development.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you very much, Mr. Speaker. I have three tablings this afternoon. The first one is a summary of the MAP 2 strip auctions at Clover Bar, Sheerness, and Genesee in regard to energy deregulation. This is from the Balancing Pool.

My second tabling is a letter from Patti Skolski from the constituency of Edmonton-Gold Bar, and Patti is concerned about the funding of public education and is urging stable, reliable funding for public education and can't understand why in this province it's underfunded.

My last tabling is also a letter. This one is addressed to the hon. Premier. It is from Andrea Holmstrom of 25th Avenue and 47th Street, and Andrea is also concerned about the funding. She's appalled, actually, at the lack of funding for public education in the province of Alberta.

Thank you.

**The Speaker:** Others?

Hon. members, I am pleased to table with the Assembly an interim annual report that the chair has received from the now former Ethics Commissioner pursuant to section 46(1) of the Conflicts of Interest Act. It is a report generally on the affairs of the Office of the Ethics Commissioner and covers the period April 1, 2002, until his last day in office, March 31, 2003. A copy of the report will be distributed to all members.

As well, pursuant to Standing Order 109 I am pleased to table with the Assembly the 13th annual report of the Legislative Assembly Office for the calendar year ended December 31, 2001. The report represents the audited financial statements for the 2000-2001 and 2001-2002 fiscal years and the fifth annual report of the Alberta branch of the Commonwealth Parliamentary Association, and a copy of the report will also be distributed to all members.

head: **Orders of the Day**

head: **Written Questions**

**The Speaker:** The hon. Deputy Government House Leader.

**Mr. Zwozdesky:** Thank you, Mr. Speaker. Proper notice having been given on Thursday, March 27, I would now move that written questions appearing on today's Order Paper do stand and retain their places.

[Motion carried]

head: **Motions for Returns**

**The Speaker:** The hon. Deputy Government House Leader.

**Mr. Zwozdesky:** Thank you, Mr. Speaker. Again proper notice having been served on Thursday, March 27, I would now move that motions for returns appearing on today's Order Paper also stand and retain their places.

[Motion carried]

**The Speaker:** Hon. members, in calling on the hon. Member for Calgary-North Hill, might we also revert to Introduction of Guests, or does the hon. member want to proceed with it all at the same time?

The hon. member is recognized.

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

head: Third Reading

### **Bill 202**

#### **Workers' Compensation (Firefighters) Amendment Act, 2003**

**Mr. Magnus:** Thank you, Mr. Speaker. It is a pleasure and indeed with some pride that I rise to my feet today to speak to Bill 202, the Workers' Compensation (Firefighters) Amendment Act, 2003. Just prior to moving that, though, I would like to introduce a number of people in our galleries. All of them are not in our galleries at this point in time, but they are some of the finest firefighters in the world, and they are, of course, Alberta's firefighters. They are from virtually every major urban fire department in Alberta. I'll mention a few of the towns: Grande Prairie, Fort McMurray, Lethbridge, Calgary, Edmonton, and I know I'm missing a few.

**An Hon. Member:** Medicine Hat.

**Mr. Magnus:** And Medicine Hat. My apologies.

I would ask that they now rise and accept the warm, traditional welcome of this Assembly.

**The Speaker:** The hon. Member for Calgary-North Hill to move the bill.

**Mr. Magnus:** Thank you, Mr. Speaker. I would indeed move Bill 202, the Workers' Compensation (Firefighters) Amendment Act, 2003, right now.

Firefighters are the healthiest and fittest people of any profession known to man. In order to become a firefighter, you literally have to put in an application and compete against thousands of other people who have put in applications at the same time as you in order to get, in a major city like Calgary, probably an average over the last 10 years of 20 new firefighters per year. Thousands will apply for each and every one of those positions.

2:50

Firefighters are the healthiest and fittest people out there, but unfortunately they get cancer from their job. Interestingly enough, through the debate on this bill – and we've had a tremendous amount of debate, whether it be in second reading or committee – we've had people talking about the issues and the things that are within the bill. One of the very, very important things that this bill does is it puts presumptive legislation in place, which indeed changes the onus for a firefighter. Now with this bill in place, or when this bill becomes a bill in about an hour's time, I hope, the onus will have been shifted from a firefighter having to prove where indeed he got the cancer to the WCB having to prove that he didn't get the cancer from the job. It is a very, very large shift in this responsibility, Mr. Speaker. Firefighters get it for a couple of very simple reasons. They are special and they are unique in that they are the only profession that we have today that are forced to and indeed go into unsafe working environments and battle their way through that.

Interestingly enough, I was reading something on the weekend about cancer itself and about some of the by-products of fires. One of those by-products is benzene, and benzene comes from plastics. The interesting part about that article is that there are 300 new plastics introduced in North America every year, and virtually everything we have that is out there, whether it be our car, things in our home, whatever is burning, releases benzene, and it is the most highly carcinogenic substance known to man. Regardless of the protection that a firefighter wears or the type of equipment, they are still susceptible to this because it's not just the breathing in of the smoke and the toxic chemicals; it's what gets under their equipment and gets on their skin.

This bill with its presumptive legislation being brought into place is a radical departure from the way it used to be because, frankly, no fireman in Alberta was ever paid for cancer-related illness from the job prior to all the publicity on this bill. I think what we've got at the end of the day is a very, very good bill. In fact, it's superior to bills that are being put forward in other provinces and, in fact, the bill in Winnipeg that we originally modeled our bill on. The reason for that, of course, is we have two extra cancers that have been added to the bill, and I think that because of the fact that our cancers are listed in regulations, it does make it indeed easier for us to add cancers in the future.

Mr. Speaker, we had an awful lot of people debate this, and I'm not going to take too much of the House's time, but I would like to say some thank yous, and hopefully it will be a very short debate on the closure of this third reading on my part by doing this now. I'd like to start off by mentioning Greg McFarlane, my researcher, who did a tremendous amount of work for me and shepherded this right through the Legislature, and he's here now. Greg, you may want to stand. Morten Paulsen – and I'm not sure if he's here – is a communicator extraordinaire, and he has worked for the various fire departments across Canada, indeed a very good friend of mine and, as I say, an excellent, excellent communicator who has shepherded me through the process for quite some time. We've had a bit of a campaign going on in this, as I'm sure all members are aware.

I'd also like to thank members of the Legislature because, frankly, this has not been a political issue. This is an issue, in my mind, about fairness and about doing the right thing. When I took it to the two opposition parties, they came forward immediately and said, "Yeah, this makes sense to us," and they have kept their word all along. So I would like to give them some accolades for that, as well as the members of the government of course, because while this has been at times somewhat contentious for some people, based on a whole variety of reasons – and that's fair – everybody did get up and express their opinion. In fact, we had 22 speakers at Committee of the Whole two weeks ago when this bill came before us.

I would be remiss if I didn't mention four firefighters. I know they're all here, and we've introduced them in the House before: Ken Block, the president of the Edmonton firefighters association, and Alex Forest, who's the president of the Canadian firefighters association. The rest of you will probably agree with them, but I talked to them, and they were essentially on call on their cell phones for the last two months pretty well and were available to provide me with information on this bill and to in fact answer questions. It didn't matter whether it was midnight or 7 in the morning. They were on those cells and available to answer questions, and I thank them very much for that.

The last two members that I absolutely have to thank, Mr. Speaker, are two gentlemen from Calgary: Scott Wilcox, the president of the Calgary Firefighters Association, and Gord Caldwell, who is a Calgary firefighter and who is the president of the Alberta Fire Fighters Association. Interesting to me: these two

gentlemen on this issue and on most issues that they discuss are very, very passionate but in two entirely different ways. One is a little more flamboyant than the other, but they are both passionate about this issue to the nth degree. Both of them have helped me right from the very, very beginning, and all four of these gentlemen that I've mentioned today – if the firefighters are smart, frankly, you'll make these folks presidents for life in their respective jobs because they have gone way above and beyond the call of duty in order to do this.

Mr. Speaker, the last people I would really like to thank – and I'll take my place and open the floor to debate – are firemen as a whole. We have wonderful, wonderful firemen in this province. They are wonderful all over the world. We can talk about September 11 till the cows come home, and maybe we should be talking about that, but we have examples closer to home; in the last two months in Calgary and Edmonton, as an example. We've had two fires in Calgary – one was a church fire, and one was a huge warehouse-type fire – where the firefighters in Calgary went out and showed their mettle. We've had two fires here in the last three weeks. The same crew, interestingly enough, fought both those fires: the fire at the parkade a block east of this building and the Whyte Avenue fires. They were only about a day, a day and a half apart. The same crew actually went from the one fire to the other, and we all remember the scare that we had when that parkade came down. Firefighters get out of bed every single day of their lives not knowing if today is the day that they're going to be called upon to be heroes, but they go willingly every single time.

Mr. Speaker, the time is right for this bill. The fairness, I believe, is there. We've got a good bill. Let's do the right thing. I'd ask members of this Assembly to vote in the positive in third reading of this bill.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you very much, Mr. Speaker. It's a pleasure to rise this afternoon and participate in the debate, as well, on Bill 202, and at this time I believe it's opportune to thank the hon. Member for Calgary-North Hill for bringing this legislation forward. Certainly, I was pleased to hear that this was going to be an item for discussion and debate at this time. I was disappointed last June when the initial discussion on this bill had a public forum, and there were certainly reservations at that time, but at this time I am pleased to stand and support this legislation. I think it's a step in the right direction not only for firefighters but hopefully at some time in the future for other workers in this province who through the course of their duties may as a result of their duties come in contact with carcinogenic substances that lead, unfortunately, to cancer.

Now, certainly in debate on this legislation a lot of issues have been covered at this time, and as I understand, there are many members of this Assembly who would like to speak at third reading. This is good legislation. I can't think of a worse thing than coming home and sharing with a loved one the fact that cancer has been discovered or diagnosed, and it would be, to say the least, comforting not only to the individual but also to the family to know that this would be a disease that is going to be recognized and covered by our Workers' Compensation Board legislation. Now, when we think of other workers in this province, certainly as our construction materials change, as the composition of those materials changes, and with the unknown effects that these materials have on workers at the time, hopefully this legislation will be a stepping-stone for others.

3:00

Certainly, there are questions that I have in regard to this legisla-

tion. Specifically, what does this mean for firefighters that are employed in large industrial complexes? I noticed that earlier this afternoon the hon. Member for Clover Bar-Fort Saskatchewan introduced some individuals, I believe, who were employees of Dow Chemical. Dow Chemical is a complex that would have permanent, highly trained fire-fighting teams ready and willing. I hope they never have to respond, but in case they do, what would this legislation mean for them? Now, hopefully through the course of time my questions will be answered regarding that matter.

In conclusion I would like at this time to thank the hon. member again. He thanked a lot of individuals, and I am pleased to have the opportunity to publicly express my gratitude to him for bringing this bill forward.

Certainly, one of the most pleasant observations I have had the chance to notice in the last year in the constituency of Edmonton-Gold Bar is the fact that the firefighters have decided to make their new permanent home there. I believe they've seen the light and moved from Edmonton-Centre.

Certainly, Mr. Speaker, I wish the sponsor of this bill the best, and I would urge all hon. members of this Assembly to support Bill 202 as we know it and as it's presented here, and hopefully this will be a stepping-stone for all workers in this province, because times are changing. Thank you.

**The Speaker:** The hon. Member for Calgary-West.

**Ms Kryczka:** Thank you very much, Mr. Speaker. I am very pleased to rise today and speak in support of Bill 202, the Workers' Compensation (Firefighters) Amendment Act, 2003. I have a great deal of respect for the Member for Calgary-North Hill for bringing this important legislation forward.

With little concern for their own safety firefighters, as we all know by now at least, enter buildings which are engulfed in flames and do what they are trained to do: save lives, provide medical attention, protect property while extinguishing fires. The purpose of Bill 202 is to provide fair and just compensation to firefighters by granting presumptive status for the seven – yes, seven – specific cancers outlined in the bill. Benefits would be delivered then based on the presumption that firefighters contracted the cancer due to their work environment.

Mr. Speaker, other provinces across Canada are now recognizing and identifying the importance of this initiative. Currently, Manitoba is the only province with legislation granting presumptive status to firefighters for specific types of cancer. However, Nova Scotia, Quebec, and Saskatchewan are presently considering similar legislation.

Studies and extensive data prove that there is a link between different forms of cancer and the hazards and carcinogens firefighters are exposed to while performing regular duties. Research indicates that firefighters are more than two times more likely than the general population to get brain, bladder, kidney, colon, lymphatic, ureter, and hematopoietic cancer or leukemia. Moreover, firefighters are more likely to contract these cancers than individuals in similar stress-related occupations. Toxins and carcinogens which are released during the combustion of synthetic materials pose both immediate and long-term dangers for firefighters. These toxins combine to form a myriad of dangerous chemicals. These chemical compounds are ingested, inhaled, and even absorbed into the bodies of firefighters despite the protective gear worn and breathing apparatuses used.

I feel that an increasingly smaller part of my own image of the valiant firefighter is of one who has rescued a child, but with the help of this bill that image of mine has certainly changed somewhat.

It's not lost, but it's changed. Firefighters are definitely very valiant, but through personal testimonials I have learned of the health risks and for many of them the risk to their lives. In fact, I guess I would say that I'm left wondering why young men and women recruit themselves as career firefighters.

Mr. Speaker, we have to put into place the necessary legislative amendments to make sure that firefighters are protected from any disease that they encounter due to their work environment. Bill 202, when it is passed, will amend the province's Workers' Compensation Act to establish automatic compensation guidelines when a firefighter suffers from cancer of the brain, bladder, kidney, ureter, colon, non-Hodgkin's lymphoma, or leukemia after a specified number of years on the job. Bill 202 provides a framework for granting these benefits. There will be certain thresholds of time a firefighter must spend on the job in order to receive the benefits for the seven cancers.

I would like also to mention that I am very pleased with the amendment which takes the cancers out of the legislation and places them into regulation. This provision makes it easier to add cancers without opening the act. Furthermore, as more studies are done and more precise findings are brought forward, the act can be altered to reflect the current situation and how certain cancers are linked to fire fighting and the workplace, such as lung and testicular cancers.

The presumption applies even though it is not possible to determine which exact claim is actually caused by the occupation. This presumption is a way of being inclusive in the acceptance of such claims, given that it is not possible to distinguish among them. A presumption is usually based on a demonstration that the relative risk exceeds twice that of the general population because under these conditions the likelihood of the origin being related to the exposure is greater than the likelihood of the origin from other reasons. The bill presumes that the dominant cause of the disease is the individual's employment as a firefighter unless it can be proven otherwise. However, the disease could not have been detected at the initial physical appraisal.

Currently, the burden of proof lies with the individual, and they have to rely on their own resources to pinpoint an actual cause in order to receive benefits. As it stands, firefighters would have to list every incident and fire scene that they have attended and substantiate the different materials that may have been inhaled or absorbed. Furthermore, with the numbers of synthetic materials and increased use of plastics, it would be impossible to document all the different substances that a firefighter may have been in contact with. For example, there are approximately 300 new plastics each year.

Mr. Speaker, firefighters deserve to be supported after so many years of taking care of Albertans across this province. Bill 202 would compensate firefighters for their total commitment to public safety.

Mr. Speaker, I'd just like to shift my focus for a moment and point out that volunteer firefighters, who make up the bulk of firefighters in the province, are not covered under this legislation. In the unfortunate event that one of Alberta's many volunteer firefighters is diagnosed with one of these types of cancer, these volunteer firefighters will still have to prove to the Workers' Compensation Board that the cancer they contracted was caused by their exposure to carcinogens and toxic chemicals through their duties as a firefighter. We should acknowledge and recognize that the dangers and hazards faced by a volunteer firefighter are not any less real than those faced by a full-time firefighter in Alberta's urban centres. However, I am pleased to hear that the government will be collecting research which examines the risks for volunteer firefighters so that these individuals can be assured that their concerns are not forgotten while the ease of receiving benefits could soon be extended to these volunteers.

Mr. Speaker, I think it is very positive that we are moving closer to an understanding of when and where it is appropriate for workers' compensation boards to provide support and benefits to workers whose cancer may have arisen from their work environment. This is an important step in providing better access and a more open and honest process to providing compensation for those who develop cancers from exposures in the workplace, especially when these work environments are uncontrollable and cannot be regulated, such as those of firefighters. At the same time, it clearly begins the approach of clarifying when a cancer can be considered work related and a framework within which employers can become much more involved in addressing factors which cause cancer and in reducing the incidence of cancer which results from the work environment.

After all, we are dealing with diseases that are potentially fatal. Firefighters daily put their lives at risk to preserve and protect the lives and the property of Albertans. Bill 202 would amend the Workers' Compensation Act, grant presumptive status for the seven outlined cancers. This amendment would provide benefits, delivering fair and just compensation to firefighters across the province that contract these diseases due to their workplace.

3:10

Mr. Speaker, I highly commend the MLA for Calgary-North Hill for bringing this legislation forward. I strongly support this initiative and encourage all my colleagues to vote in favour of Bill 202, the Workers' Compensation (Firefighters) Amendment Act, 2003.

I would like to take this opportunity to sincerely thank the members of fire-fighting forces and their families across the province for their commitment and dedication to community safety and protection. Thank you so very much.

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

**Ms Carlson:** Thank you, Mr. Speaker. We in the Official Opposition continue to support this bill, as we have through the various readings that we've had so far. For our visitors and for those people who are avidly following the words that are spoken in this House on this bill, I would like to explain some of those processes. In our Legislature it isn't required to have a recorded or standing vote for every piece of legislation. The process for getting a recorded vote is to have at least three members of the Assembly stand after a voice vote is taken. In second reading on this bill that's what we did. Members of the Official Opposition stood and asked for a recorded vote where it could be recorded that those from our side who were available that day stood in support of the bill. All members of the Official Opposition strongly support this bill. That information is available in *Hansard* for people to review.

The process for bills in this Legislature is that they go through three readings: the first reading, just the title and a small preamble; the second reading, where we all have a chance to speak to the bill in principle, and then committee, where there is more give-and-take in debate; and third reading, which is the final stage that we see here today as far as this Assembly is concerned. There still is another stage, and that's royal assent. We have seen in the past where private members' bills that have gone through the first, second, and third stages successfully in this Legislature never actually get royal assent. So my encouragement to all of those people who support this bill is that your job isn't finished after the vote today. We still need to ensure that we get royal assent on this bill so that it's actually passed into legislation in this province.

So I would urge everyone who likes this bill to continue to be diligent to ensure that we get what it is that has been supported by

this Legislature, this bill as amended, which we do continue to support. Thank you.

**The Speaker:** The hon. Minister of Finance.

**Mrs. Nelson:** Well, thank you very much, Mr. Speaker. I am really very pleased to be able to speak at third reading to this bill. I think this is a bill that we should all be very proud of in this Legislature. As a politician every so often you get the feeling that you've hit a home run and done something that's absolutely correct, and when you see the support on all sides of the House coming forward, as a politician you know that clearly this should have been the case all the way along.

I also want to once again congratulate the Member for Calgary-North Hill for bringing this forward. When he first told me about this bill, I was surprised that we already didn't have it in place. I couldn't believe that it was something that wasn't there, particularly when I realized how terribly dependent we all are on the firefighters. Through a simple phone call, three numbers, they're there without hesitation, without question, without concern for themselves, and without concern for their families. They come right through the door, no matter whether it's a house or a plant or a field, to deal with the emergency situation.

The amendments that were offered as House amendments by the minister I think are very, very important, and I think it's when I look at the lists of cancers that were involved – Cancer Crusade is one of my pet projects and something I support as we've dealt with it personally. Every one of these cancers is very, very, very difficult to deal with. I had the opportunity, Mr. Speaker, also to have coffee and brownies one Saturday morning with Scott Wilcox to talk about this, and I admired his staying power to make sure that there was a clear position from the firefighters coming forward in support of this bill.

So I won't talk long other than to say that every so often we do something that is absolutely correct, and I believe that that's what this bill is. It's the right thing to do. Again I will congratulate the firefighters for bringing it forward and my colleague from Calgary-North Hill for making sure that he had this entire Assembly onside to support our firefighters, because they always support us.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thank you, Mr. Speaker. It is my pleasure to rise today to support this bill. I've not had a chance just because of scheduling arrangements, I guess, to speak to the bill before now, but I have watched its progress through the Assembly carefully, and I'm delighted that it's gone as far as it has. I, like others, congratulate the Member for Calgary-North Hill and all the firefighters and their supporters, who have worked so hard on this bill.

I would like to make a comment that I hope this is the start of something of a trend and that perhaps it will lead to better recognition of many other workplace hazards and safety issues. In particular, I'd like to mention the issue of asbestos today, and I know that this is or at least ought to be a concern to firefighters in the province. Asbestos is far and away the leading cause of workplace-related disease and death, and I was just reading extensively on it again last night. The members here will know I've been digging into this issue for some time. It is undoubtedly significantly underreported. It is responsible for thousands of workplace disease deaths a year on this continent. There are about 30 reported deaths a year in Alberta alone stemming from asbestos-related diseases, and undoubtedly there are many, many more beyond that.

Now, why do I raise it in this context? Because a tremendous number of the buildings that firefighters need to go into when they're fighting fires are loaded with asbestos, and the most dramatic example of that is the World Trade Center, which in fact had hundreds of tonnes of asbestos in it. Those great clouds of dust that went up in the air and coated the firefighters, coated the civilians, coated much of New York City had substantial amounts of asbestos fibres in them, fibres that lead to many different kinds of diseases: lung cancers, stomach cancers, asbestosis, and a particularly dreadful cancer called mesothelioma, which I learned last night took the life of Steve McQueen. I thought he'd died of lung cancer from cigarette smoking, and it turned out, I learned last night, that he died of asbestos-related diseases. He was exposed to asbestos before he was in the acting business when he was working in a shipyard, I believe.

There is no question that firefighters encounter significant risk of asbestos exposure. Asbestos is reasonably safe if it's properly contained. Of course, in a burning building it isn't, and that's a significant risk for them. So I hope that we will see other steps taken to advance the issues of workplace safety, workplace hazards, recognizing that the men and women who are exposed to these hazards through the course of their work need proper treatment. This is a step in the right direction, but it is only a first step, and as big as it is, we need to make more steps. Every journey, as the saying goes, begins with a single step. I hope there are many steps to follow to ensure that our workers are treated fairly.

Thank you, Mr. Speaker.

3:20

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

**Mr. Horner:** Thank you, Mr. Speaker. It is a pleasure to join in debate in third reading of Bill 202, the Workers' Compensation (Firefighters) Amendment Act, 2003. We've heard a great deal about the importance of firefighters and the value that they are to urban communities. I'm sure that the firefighters appreciate these sentiments and acknowledgments, and I agree and I add my voice to them as well, but they probably care more about improving the settlement process for cancer claims.

Mr. Speaker, both rural and urban firefighters work in my constituency, and I'm satisfied that Bill 202 will address their concerns regarding cancer claims. Presumptive status through regulation will dramatically improve the settlement process for sick firefighters, who should be concentrating on their health. Opening up the Workers' Compensation Act to add or, less likely, to remove cancers is not efficient or fair to firefighters. It isn't efficient because legislation takes time. It isn't fair because sick firefighters need to battle cancer, not the WCB nor this government.

The other aspect of the bill, which hasn't been talked about as much, involves the WCB's report on the status of research already being conducted in other jurisdictions. Other firefighters such as volunteer and part-time firefighters as defined in Bill 202 often contain fires rather than go into them, and there is a perception that containing a fire leads to far less exposure than actually entering a fire. Obviously, these firefighters are not exposed as much as their urban counterparts, but I do believe that they are at risk of developing cancer.

I understand that there is a reluctance to extend presumptive coverage to every firefighter in Alberta. There are 23 states and two provinces that have either addressed this issue or are waiting for more research to be done. Every fire is different, and every firefighter is different. I think it's important that the WCB watch what other jurisdictions are doing and consider the conclusions drawn from

future research. This process will help Alberta's firefighters, specifically those who do not work in urban centres. Although the WCB has not avoided the firefighters' claims, this bill has brought all affected parties together to settle all concerns and improve the process.

Mr. Speaker, I cannot think of a reasonable argument against the intent of Bill 202. The medical research and overwhelming evidence needs to be acknowledged. One concern some may have involves the possible increase in premiums due to more cancer claims. The reality is that if workers get injured, they must be protected. In the case of firefighters, if they develop cancer, they must receive coverage.

My hope is that the instances of cancer among firefighters can be reduced with improvements to their equipment. Continued innovation in their protective gear could limit exposure, which could help reduce the chances of developing cancer.

There is an element of risk in many professions, and this bill may open the door for others to seek presumptive status. If passed, Bill 202 will certainly set a precedent. After all, there is an element of risk in several occupations and industries in Alberta, but I believe that this precedent will not be enough to justify expanding presumptive status. Workers and their employers are legally obligated to wear protective gear to reduce the risk of injury. For example, construction workers must wear a harness if they're working above a certain height, and paramedics must wear rubber gloves when treating patients, but it's hard to develop a similar policy for firefighters because the element of risk remains high every time they fight a blaze. The amended regulations in the Workers' Compensation Act will reflect the unique working environment of firefighters.

The original mechanics of Bill 202 caused concern amongst several members in this House, and I appreciated and agreed with their apprehension for supporting the original bill, but the amendments passed in Committee of the Whole maintain the autonomy of the WCB and ensure that future cancer claims are settled more efficiently.

Mr. Speaker, I support the idea of improving the process for settling claims for any sick or injured worker. Urging the WCB to monitor related research is the right action to take and necessary to improve the compensation process for Alberta's sick firefighters. I'm very happy to support Bill 202 as amended and congratulate the hon. member and the minister and all the stakeholders for working together for a solution that works for all.

Thank you, Mr. Speaker.

**The Speaker:** The hon. member for Banff-Cochrane.

**Mrs. Tarchuk:** Thank you, Mr. Speaker. It is an honour and a pleasure to rise today and join the debate on Bill 202, the Workers' Compensation (Firefighters) Amendment Act, 2003, sponsored by the hon. Member for Calgary-North Hill. Bill 202 would amend the Workers' Compensation Act to ensure that primary site brain cancer, primary site bladder and primary site kidney cancer, primary non-Hodgkin's lymphatic cancer, leukemia, and primary site colon cancer have presumptive status for any fireman wishing to receive workers' compensation benefits due to the contraction of these cancers.

Firefighters risk their lives to save the lives of others. They are trained to avoid being trapped in a burning building or crushed under a collapsing roof, but as we have heard, there is evidence that firefighters face another equally serious risk. Cancer is a silent killer. Firefighters seem to not only be battling fires and saving lives but running headlong into prime contraction areas for certain cancers.

A specialist in the causes of cancers recently looked at the death

reports of 6,000 firefighters from Toronto. The results of her research determined the culprit to be toxins created by smoldering plastics. These cancer-causing vapours and smoke come from commonly found glues, wraps, paints, insulation, and other building materials, the synthetics found in almost every article of modern-day life. Any fire can change an ordinary building or vehicle into a chemical whirlwind. If these chemicals and poisons are present in the majority of nonindustrial fires, then imagine the chemicals and poisons that firefighters are exposed to when dealing with a fire on an oil lease or cleaning plant or factory. We need to acknowledge that these risks are real and recognize that firefighters have more than earned our support on this issue.

Additional studies have concluded that firefighters are at increased risk for brain cancer compared to the usual control group, police officers, who are often under comparable stress. Of 14 studies done on the mortality of firefighters, 11 found excessive risk of brain cancer. A story regarding this issue may best illustrate my case. Around 10 years ago a firefighter in Kitchener, Ontario, began to realize that the men in his shift were dying and they were all dying from cancer. After checking the records, one similarity became constant. They had all fought the same fire. It was a huge blaze that occurred in 1987 at a chemical factory.

When a firefighter responds to a call, the fire is only the first risk of many. Once the fire is extinguished, a number of risks still exist. A fire can produce dangerous chemicals both during the working phase of a fire and after the fire is out. One such chemical is PVC, or polyvinyl chloride, which is used in making upholstery, wire, pipes, and wall coverings. Polyethylene and PVC are often more dangerous when smoldering than during the high heat of a working fire. They both give off carbon monoxide, hydrogen cyanide, hydrochloric acid, and other chemicals. Concrete can also pose a postfire risk to firefighters. It can act like a sponge, retaining heat and gases and then releasing toxic fumes as the fire is extinguished and cooling takes place.

With all the medical breakthroughs and all the research we still don't fully understand the links between cancer and firefighting. There will always be skeptics until a defined direct link is made between certain actions and being diagnosed with cancer. I believe we need to provide assistance and protection to those who risk their lives to protect us, and I wish to add my support to this bill and urge all hon. members to do the same.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Little Bow.

**Mr. McFarland:** Mr. Speaker, I think I may have stood at the wrong time. I've got another bill to speak to.

**The Speaker:** The hon. Member for Calgary-Bow.

**Ms DeLong:** Thank you, Mr. Speaker. I did have a chance during Committee of the Whole to stand up and speak in support of this bill, but I just wanted to add that there is someone in our galleries today that I'd like to introduce to everyone. That's someone who actually used to be a neighbour of mine, and I got to know him a little bit when he was a neighbour and showing me his house. I knew he was a fireman; I think he was actually a fire chief at the time. I did read just in the newspaper this weekend that he is now getting his WCB benefits. I'm really happy about that, because it means that he can concentrate on just looking after himself, living his life well. So I would like to please introduce to you and through you to the rest of the House Mr. Hemming and his wife. They're up in the gallery, and if I could ask everyone to show their appreciation.

**The Speaker:** The hon. Member for Calgary-North Hill to close the debate.

**Mr. Magnus:** Thank you, Mr. Speaker. You know, it occurs to me that firemen are there every time we need them, and they need us now. I would ask all members of this House to look at this bill in a positive light. I'd call the question.

[Motion carried unanimously; Bill 202 read a third time]

3:30

**Bill 203**

**School (Compulsory Attendance) Amendment Act, 2003**

**The Speaker:** The hon. Member for Little Bow.

**Mr. McFarland:** Thank you, Mr. Speaker. Firstly, I apologize for getting up here before. I had already spoken to the previous bill, and I appreciate your co-operation. I am also pleased here today to have the opportunity to continue debate on Bill 203, the School (Compulsory Attendance) Amendment Act, 2003, in this third reading.

As we gather here, I could not help but reminisce a little bit about my early days growing up in the rural setting of Carmangay, Alberta, a small village. I, like many of my colleagues here who also grew up in small towns and attended small-town schools, realize that the emphasis was on educating children. This statement is not intended to minimize what schools and teachers do in today's environment, but I want to underscore the fact that in this setting education was the top priority. We were lucky to have any extracurricular activities outside the classroom at all. For most of us leisure time was something we would spend back home doing chores, especially on the farm. As with any group of children there were individuals who simply did not want to be in school. This is true today just as it was true when I was young. Either they had aspirations of moving to the big city for bigger and better things or they figured that they were simply going to end up farming anyway so why bother going to school.

The question has been asked here and it will continue to be asked: why should children be forced to stay in school when they have no ambition to be there? Well, I've used the argument: show me one 16-year-old child – and that's what they are, Mr. Speaker, children – that's mature enough to understand the ramifications of making the decision to quit school. There are very few who are at that level, and if they think they are, maybe their parents would be willing to sign a guarantee that they wouldn't require any public assistance until such time as they've reached that maturity.

Mr. Speaker, we have in this province many teachers who do a tremendous job day in and day out. I'd be willing to bet that many teachers feel a real sense of disappointment, perhaps even failure, when one of their students drops out of school. We as a government are giving up on our youth before the teachers do by allowing them to quit school when they're 16. We're allowing them to leave school before they even have the opportunity to graduate. We assume that any child at 16 years of age who does not want to finish school will not be influenced by the many great counselors and teachers we have here in Alberta who could instill in them the pleasure of high school completion.

While it is true that we are not a successful province because we have forced students to be educated; we are successful because we give our children opportunities. Allowing them to leave school at 16 years of age is not giving our children much for opportunity. Raising the compulsory age of attendance to 17 years does not guarantee that a child will graduate, Mr. Speaker, but it gives him or her a better opportunity to succeed, and that, in essence, is what we're discussing in Bill 203.



In fact, many of you can remember that school was a downright drag when you were a teenager. There are so many other things that a teenager would rather be doing than sitting in a classroom listening to a teacher drone on and on about geography or chemistry or Shakespeare. I realize that it's a struggle for many students to motivate themselves to finish their education when they are this age, but the point is that beyond the conventional methods of classroom teaching there are avenues that a parent can use to help his or her youngster with their education. Institutions such as the Sylvan Learning Centre allow students who are having trouble learning in their school environment to step back and out of the traditional classroom for a time to learn from another young individual or another tutor. This is one of the many examples of resources available. It's a team effort that helps get a child through school. It should not be left to the child alone to learn, and it certainly should not be left to the child alone to leave.

There's been some discussion in this Assembly about 203 skirting around what some perceive as a central issue in this piece of legislation, and that's making graduation mandatory. If this was the case, Mr. Speaker, then Bill 203 would come right out and say so, which it doesn't. Bill 203 does not attempt to disguise itself as a magical answer to a very large problem. It's simply a step in the right direction. After all, how can we be faulted for attempting to solve some of our larger issues step-by-step? Bill 203 moves to do just that: fundamentally address one area of concern that impedes our children from achieving all we as parents hope that they will.

As I have alluded to earlier, keeping our children interested in the learning process is a team effort. It requires the help of qualified and dedicated teachers, mentors, counselors, and most importantly parents. While it is certainly true that it's up to every individual and their family to decide whether or not they should stay in school, shouldn't we at the very least provide the tools necessary for achieving some level of success? I believe Bill 203 is one of those tools that are essential.

As we move into this new age, this new economy, it will be those regions, those countries, and those individuals who have committed themselves to lifelong learning who will succeed in society, business, and life. We should strive to instill this belief in every one of our children, allowing none of them to be left behind, none of them to be discarded before their true potential is realized. By allowing a 16-year-old child to leave school early, are we not just giving up on them, leaving them behind, Mr. Speaker?

When I think back to the small-town school that I grew up in, I remember how it was expected that each one of us would not just graduate but excel in whatever profession we chose afterwards. It was knowing even at a young age that I had the support and the backing of many people to ensure that I fulfilled my potential. That sense of accomplishment even in the face of adversity is what builds character. For the individuals where scholastics was a challenge, with the support and backing of teachers and parents they were able to realize their goals, and that's what set the course for the life of their person.

Not all of us are academically inclined. There's no disputing that. For some school can be the ultimate in challenges, while others breeze through it without much effort. What does matter at the end of the day and what shows up in a person's makeup for the rest of his or her life is: in the event of difficulty how do they react? Some people panic. Some people falter. Others focus and prosper. To the 16 year old who is contemplating dropping out of school, will he not be forever burdened by the thought of backing down in the face of a challenge? This is when they need support and guidance from people who have been there before them and pulled through to succeed.

Mr. Speaker, a lot of debate has occurred on Bill 203, and that's a good thing. Debate brings issues front and centre, where all of us in the Assembly can air our viewpoints and engage in productive discussion. In my time here today it has been my intention to bring into the discussion more of a human element rather than concentrating on statistics and noncompletion rates for my argument. We as legislators, as citizens, and most importantly as parents have a duty to encourage and support our children to fulfill all their potential. As the old adage states: the mind is a terrible thing to waste. Too many of us may in fact waste too much of that too often.

I encourage everyone to continue the debate, and thanks very much.

**The Speaker:** The hon. Member for Edmonton-Manning.

**Mr. Vandermeer:** Thank you, Mr. Speaker. It is my pleasure to rise today and speak in third reading stage of Bill 203, the School (Compulsory Attendance) Amendment Act, 2003. Bill 203 is a simple piece of legislation which increases the mandatory school age to 17 years of age. I feel that this is not a good idea, and I would like to take this opportunity to speak against the legislation being considered today.

3:40

Mr. Speaker, this bill goes too far, and this government should not be making this change. I don't think it is in the best interests of this government to be increasing the mandatory age of young people in school. We should steer clear of this matter because it is not our business whether or not a young person should go to school. This is the job of parents. If a young person at the age of 17 does not wish to be a part of the school system, it should be up to the family to resolve this issue and not legislation made by the government. We are becoming too involved in the private lives of the citizens of Alberta. There is no need for government to stick its fingers where they don't belong, and I would argue that our fingers do not belong in this matter.

[Mr. Shariff in the chair]

Not all young people are students. There are many young adults in Alberta who are not cut out for school. There are many who have no desire or ability and feel that they have no need to be in school. They feel that life would be better for them if they dropped out and did something worth while like begin working. Now, Mr. Speaker, I'm not advocating that children should be able to drop out whenever they feel like it. In fact, I don't think a young person should drop out, but rather all should try to finish their high school education. However, if they feel that they cannot finish or they don't want to finish, we should not be the ones that tell them otherwise. It is a private matter between the young adult and his or her parents. We should not be forcing our desired outcomes on those who wish to make their own decisions.

Mr. Speaker, I realize that a lot of people feel that high school is a necessary requirement to get ahead in this world, and I agree with those people. Children should do their best to stay in school. Even so, as I said before, it is not the job of this Assembly to pass a law that will force young people to stay where they do not want to be.

What would be the outcome if we passed this bill? I feel that there would be consequences that are harmful to the learning environment of those who do wish to stay in school. For instance, if a 17 year old is in grade 11 and not being productive, he or she may skip relentlessly causing the principal to continually have to discipline the student. This is a distraction not only for the students in the

classroom but also for the administration who have to deal with the same problem day in and day out. Since there is no real desire in the young person to be at school, he or she becomes somewhat of a distraction and a disruption to those who are trying to concentrate on their studies. These disruptions are extremely harmful to the students and should not continue.

As I said before, having a young adult hang around school when they have no desire to be there causes more harm than good to the other students who want to be there. If they decide that there are other opportunities, that school isn't for them, then they have a way out, and I feel that they will make sound decisions with the advice of their parents.

As well, Mr. Speaker, it may have a benefit for kids to drop out early. It may be the only way they learn to appreciate how important being educated is. Life has a funny way of teaching us. I say let a young adult have a taste of life if he or she so desires. Put a young person to work at a young age and it might be a wake-up call for them, and they may decide that getting an education might be a good idea after all. They make the decision to go back to school, not the government.

Mr. Speaker, Alberta children are important. We should and we do a great job of advocating for what is best for our children. However, when it comes to families and their private decisions, this is where the government should not be involved. It is not our responsibility.

I think it would be prudent for us to vote against this bill today. This bill just does not fall in line with the policies of this government. We try to stay out of the private affairs of Albertans as best we can, and passing this bill makes us look like meddling politicians. Every day bills are passed or debated and have serious implications on Albertans, and this is one of those bills, one which I feel is not in the best interest of our electorate. I urge all members to vote against Bill 203.

Thank you.

**The Acting Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you very much, Mr. Speaker. It's with interest that I rise to participate in the debate this afternoon on Bill 203, the School (Compulsory Attendance) Amendment Act, 2003. Certainly the previous speaker's comments were noteworthy, but I'm afraid that at this time I would have to disagree with the hon. member and urge all members of this Assembly to support this private member's bill as proposed by the hon. Member for Little Bow.

There are questions in regard to this legislation, and one that I have in the research that has been provided that remains unanswered and perhaps can be answered in the course of debate is: what happens with an individual who is interested in taking up a trade in this province, whether it's a compulsory or optional certification process, if that individual is to, say, take that trade up at age 16 on a part-time basis? What effects would this legislation have on that individual and their employer, or if that person is involved in part of the RAP program, exactly how, if this bill became law, would those individuals be affected? Certainly we need to encourage young people to take up the trades in this province.

I am looking forward to the estimates debate on Learning because I think we are making some significant mistakes in some of our public policy issues there, but we will get to that later, Mr. Speaker. Now I'm just curious as to how – and if the hon. Minister of Learning has an answer, I would be very grateful for his time because I think this is an important question. Many people, even while they're finishing off their last year of high school, are

participating part-time in a trade certification. How would this affect them?

I'm going to support this bill, but certainly I feel that there would be less need for this legislation if the public education system in this province were adequately funded. Perhaps if we had more guidance counselors, there would not be nearly the dropout rate that we have. I think we can certainly do better than having 72 percent of Alberta students graduating from high school. It is quite unfortunate that many Alberta students for one reason or another quit high school. The hon. Member for Little Bow makes it quite plain and points out correctly that a study released recently by the Alberta Association of Colleges and Technical Institutes shows that for each year a student attends Lethbridge Community College, his or her annual income increases by \$2,100. The hon. member is quite correct in explaining that this is a positive story to tell students.

Now, to think that this bill would in some way be an invasion of one's family obligation or an invasion by the government of obligations that belong with the family – I think that in light of our society this bill is perhaps prudent, and I would again encourage all members to please consider this proposal to raise the compulsory attendance age to 17. I think this is beneficial, and at this time I will await.

Hopefully I will receive an answer to my question in regard to apprentices and how he or she would be affected by this legislation. It's certainly something that I would be proud to support, and I thank the member for bringing it forward at this time, Mr. Speaker.

Thank you.

3:50

**The Acting Speaker:** The hon. Member for Edmonton-Glenora.

**Mr. Hutton:** Thank you, Mr. Speaker, for giving me the opportunity to rise today and join in the debate with regard to Bill 203, the School (Compulsory Attendance) Amendment Act, 2003. Before I begin, I would like to thank my colleague from Little Bow for bringing forward such an important piece of legislation, which aims to help some of Alberta's most important individuals, our children.

Before I begin dealing with the specific aspects of Bill 203, I would like to offer some of my thoughts on the vital role that education has and continues to play within our society and the world today. In many ways, Mr. Speaker, if it were not for the importance that was placed upon education of our young people, our society would not only stop evolving but we would eventually become stale and unresponsive to the winds of changes that are affecting the global community.

I am sure that all members of this House are keenly aware of the fact that Alberta is a net exporter of such natural resources as oil and natural gas. Our province's economic success and our society's high standard of living can be in many ways attributed to the fact that the rest of the world needs this kind of resource in order to function and survive. Knowledge and technology have helped Albertans harness our natural resources and transport them to other nations that are in need of such necessities. Our economic success is a testament to the fact that no longer can a country isolate itself from the rest of the world and expect to be prosperous. Not only would the people in such a country forfeit their chance for economic prosperity, but they would also be compromising their opportunity to learn about the world in which they live and in turn make it a better place for all humanity.

As a famous Edmontonian by the name of Marshall McLuhan once said: "There are no passengers on the spaceship earth. We are all crew." Never has such a quote been more relevant to the times in which we find ourselves today, Mr. Speaker. Education is a vital

medium which generates the necessary knowledge that humanity utilizes in order to move forward and steer this spaceship earth towards a bright and prosperous future. As a result, education of our youth has not only significant impacts upon our province but the world as well. We should never forget that it is the next generation of individuals which will lead us and the global community into the uncharted waters of the future, and therefore we have an obligation to provide them with the best possible education that our resources can provide.

In Alberta, Mr. Speaker, we have one of the best and most effective education systems in the world. The School Act is presently deficient in certain areas, three of which are addressed in Bill 203. Firstly, section 13(1) of the School Act permits students to discontinue their high school education once they reach the age of 16. This is a problem because the vast majority of Alberta students have not completed secondary education by the age of 16 and therefore are in no position to receive the necessary high school diploma. By not attaining the essential certificate, these students seriously compromise the opportunity to further their education and knowledge. Bill 203 attempts to remedy this problem by amending 13(1) of the School Act, making it mandatory that all students attend school until they reach the age of 17. Giving our youth one more year of school will undoubtedly help increase the graduation rate and would also allow those students who are thinking about dropping out time to reconsider.

Secondly, section 13(5) of the School Act allows parents to take their children completely out of school due to certain family-related religious or social beliefs. On top of that, Mr. Speaker, the act permits parents to not only take their children out of school but permits them to do so even before their children reach the age of 16. The problem here again is that such children are denied the opportunity to gain the necessary knowledge which will enable them to compete and succeed in the modern globalized world. Bill 203 proposes to strike out section 13(5) and instead proposes to apply the mandatory attendance rules outlined in the School Act on a constant and predictable basis. This would in turn ensure that all students have the opportunity to receive the basic education at least up to the age of 17.

Thirdly, Mr. Speaker, section 15(1) of the School Act allows attendance boards to resolve disputes relating to student attendance. The problem with such an arrangement is that it complicates the enforcement of student attendance because the process involves both the attendance boards and the school boards. As a result, issues have arisen with regard to which entity has a particular jurisdiction. Bill 203 would eliminate this problem by eliminating attendance boards altogether and placing all the jurisdictions related to this matter with the school boards. The benefit to this type of arrangement is that the school attendance rules would be administered and enforced in a clear and consistent manner. I believe that by having clear and consistent rules, we will see more students attending their classes and eventually completing their secondary education.

Alberta, Mr. Speaker, needs this kind of legislation to ensure that graduation rates improve not only on the provincial but on the cross-country level. According to Stats Canada 18 percent of high school students in the country do not complete grade 12. This equates to 120,000 students per year, which, in turn, costs Canadians annually about \$2 billion. Also, according to a study conducted by Alberta Learning in 2001 the department identified and tracked the progress of 38,000 grade 10 students in the province. Of the 38,000 students 72 percent completed high school, 25 percent did not graduate, while 3 percent continued on with their studies. According to a study completed by the United States Department of Justice in January 2003, about 41 percent of the inmates in the country's federal, state,

and local prisons and 31 percent of the probationers never completed high school. As a measure of comparison 18 percent of the general population in the United States above the age of 18 never finished grade 12.

With regard to the matter of health study after study has proven that people who have received secondary and postsecondary training are more likely to live longer and healthier than those who decide to drop out. As a result, there is a direct correlation between government spending, the time on health care, and the high school dropout rate.

In the final analysis, Mr. Speaker, it is in the interest of this government to try to minimize the high school dropout rates not only for the sake of our youth but for the sake of the greater community. At the end of the day a well-educated society is more productive, more healthy, less taxing on the government's social and health programs. I believe Bill 203 is one step forward to achieving this goal. Even though some of our young people may not realize it yet, education is a tool and a medium for their future success in life. As I mentioned earlier, they are the future leaders of not only our province and our country but the world as well. In order to be successful in their future endeavours, we need to make sure that they are equipped with the right tools and the necessary knowledge. Graduating from high school is one step in achieving that knowledge.

With this in mind, I urge all of my colleagues to support our youth by voting in favour of Bill 203. Thank you very much, Mr. Speaker.

**The Acting Speaker:** The hon. Member for Airdrie-Rocky View.

**Ms Haley:** Thank you very much, Mr. Speaker. I promise not to take very long. I know that my colleague over there is waiting again.

I wanted to just bring up a couple of quick points, Mr. Speaker, and that's with regard to what the intent of the bill is. The intent of the bill is to keep children in school longer. I understand that. I still do not understand why it is necessary to force children through legislation, by the time they're 16 and 17 years old, to stay in a place that they may not wish at that point to be in. What I suggested the other day was that there are young people who drop out of school, and I think it is tragic because I believe in lifelong learning. I've demonstrated that in my own life. My sons are both lifelong learners, and I hope that they will continue to do that as they age. But they didn't do it because somebody in government decided that they had to. They did it because it was the right thing to do.

The speech the Member for Edmonton-Glenora gave fascinated me because he started bringing up the religious aspect of it. That is something that I failed to address in my speech last week, and I wanted to bring it up today. I have several Hutterite colonies in my constituency, Mr. Speaker. I have great respect for them. I have great respect for what they do on the land, the fact that they farm it – they don't sell it for condominiums or for acreages – that they take what they do in their lives seriously. They care about their children. I've been out at the Fairview Colony school. I was just there the other day at a class of grade 1 to grade 8 students of all ages, an absolutely fascinating group of kids that asked phenomenal questions about the processes here, how bills work, what the Mace is, what the Speaker does. These were very well-informed children.

The truth is that when we talk about some parents taking their kids out of school for religious reasons – although I don't believe it's actually been said in here – I believe the people we're actually talking about are the Hutterites. They do, in fact. Many of their children after their 15th birthday finish school, but they don't leave learning, Mr. Speaker. They go out onto the farm. They go into apprenticeship programs throughout the entire farm, which includes

everything from learning how to bake, to grow vegetables, to learning how to work a metal lathe, to carpentry, to animal husbandry, to actually handling huge pieces of equipment, and it is all part of their lifestyle. I support their right to choose their own lifestyle. They worked out deals with the provincial government a very long time ago on the basis that we would have regular teachers go out to a colony as opposed to having their own teachers, who may not be ATA certified.

4:00

Rocky View school division runs many of these schools, and the children do very well, thank you very much. As they weren't consulted as to their opinion on this bill, I can only ask my colleagues here: while all of us want children to learn and we all want everybody to get a university education and we want everybody to be successful, please let us not impose our own judgment on people without consulting with them first. I have had the opportunity to speak to several principals in my riding. They've not been consulted on this bill, and they flag many concerns with doing what we're anticipating doing here.

I guess, Mr. Speaker, the only thing I can ask is that if this bill is this important, it would eventually come back as government legislation and to have the Minister of Learning bring it in after doing a full, provincewide consultation on the pros and the cons of forcing people to do something that they may not wish to do. Many young people that I know that have inadvertently for whatever stupid reason dropped out of school have in fact turned around and gone back a year later, but they go back with a good attitude. They go back wanting to learn. I don't think we can ask for more than that. When you tell somebody that they must stay there, it doesn't mean that they're going to be a good influence in that classroom or that just because they're sitting there, they would be willing to learn anything. I think there are enough hassles in a classroom without trying to force a child who does not wish to be there in fact be there.

We have many alternatives for young people now. We've got virtual schools. We've got private schools. We've got Catholic schools. We've got public schools. You know, I think that there's an unending list of places where children can go to learn things when they're ready, Mr. Speaker. I encourage that because I think it's important that everybody have options, but I am absolutely, totally, 100 percent opposed to this government forcing people to do something that they've not asked for. Not one person out of 50,000 in my riding has asked me to vote for this bill – not one – and that concerns me. So I'm going to vote against it, and I can only encourage people who have not done a proper and thorough consultation in their ridings: please don't pass this bill today. Let it come back with government legislation. If it's something that we need to do, let's do it the right way.

Thank you.

**The Acting Speaker:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Marz:** Thank you, Mr. Speaker. I'm pleased to rise again, I think a third time, to speak on this bill. I hadn't planned on doing it, except I think it's one of the most important pieces of legislation brought forward to this Legislature this spring. I've heard some very good arguments in support of this bill, and I've also heard some arguments that were much less convincing in my mind, and I'd like to try to do what I can do to convince those that voted against it the last time to maybe reconsider their viewpoint on this.

Some of the reasons that were brought up in the past were that no

calls were made to an MLA's office to support this bill. Well, Mr. Speaker, if that's the rationale for supporting a bill, then I couldn't in all clear conscience support most of the government bills that are brought to the floor of this Assembly, because I don't get a lot of calls about, especially, amendments and that sort of thing that are brought to the floor of this House and are debated. I just don't get a lot of calls in my constituency telling me that I should support that bill or not support that bill. On very few government bills do I get an opinion, and then I usually get a strong opinion one way or the other. So I don't think that that's a rationale.

Another reason that was brought forward was that just because students have no desire, we shouldn't force them to go to school. I'd like to share something very important with this Assembly. When I was 12 years old, I changed schools, and I went to a town school. It was a hamlet, a small village school. I went into grade 8, and I was one of the smallest kids in that class – I know this Assembly may find that hard to believe – and I didn't want to go to school. I wanted to quit, and I had some good reasons for wanting to quit: I got physically beat up two to three times a day every day for a whole year.

**An Hon. Member:** Say it ain't so.

**Mr. Marz:** It was so. I was black and blue from my neck to my waist. I didn't want to go to school, but there was a law in place, and my parents had the wisdom to say that I should continue to go to school.

Now, I don't know what the magic age is or what the perfect age is for allowing children to drop out of school. I can't sit here and say that it's 16, but after we vote some time later today, I'm going to have to go back to my constituents and say: well, I believe that 16, the status quo, is the magic, perfect age. Well, I'm not prepared to say that. I'm not prepared to say that 17 is the perfect age either.

**Mr. Rathgeber:** How old are you, Richard?

**Mr. Marz:** I'm 58, and I've got a lot more experience than you do.

I don't know what the perfect age is, Mr. Speaker, but I know that things have changed since I went to school, and we require a lot more education even down on the farm, which was brought up about Hutterite colonies. I'd like to point out that the Hutterite colonies – and I have three of them in my riding, and they're very good friends of mine – have embraced new technology faster in most cases than other farmers have, and their young people are going to be able to be better educated to continue to endorse that new technology if they're going to remain successful in operating their colonies for the future.

No, I haven't got any calls saying that I should support this or I shouldn't support this. I have to decide today based on the arguments I've heard and reading this for myself: is this the right thing to do or not? In my own mind I don't think that 17 is old enough. I think it should be 18. I think that a minimum should be grade 12 to allow students to get the important education they need to continue on and to be able to become successful, contributing members of society.

Yes, it's been mentioned that not all young people are academically inclined, and perhaps, Mr. Speaker, we have to do more in our education system to address that particular situation. Maybe we need to look at more technical, mechanical, trade types of education within the school system itself, because once a student drops out at 16, it doesn't mean to say that they're going to go into the trades. A lot of them don't because they don't have the skills to do that. A lot of them aren't hired because, as the member that brought this forward said, they are still children. And they are still children.

They're not mature enough to handle a lot of responsibility in jobs, and outside of some very, very low-paying jobs, they don't get those skills.

A lot of them don't go back to school because they leave home after they drop out, and that window of opportunity that they've had with their parents in most cases to support them while they're going to school is no longer there, and if they're out for three or four years, some parents aren't willing to have them come in. Pride takes place in a young person that may have dropped out when they were 16. When they're 20, are they going to go back and say to mom and dad: "Well, that was a mistake. I did the wrong thing. I'd like you to support me now, four years later, for another two years to go to high school and perhaps after that some more training"? A lot of times that opportunity disappears, Mr. Speaker, and I think parents would be better positioned and so would students if they were encouraged to continue on at 16.

I don't think there's anyone in this Assembly who could find a reason greater than I could for wanting to drop out at 12. I could have argued very strongly at 12 years old why I should have been able to drop out of school. Survival would have been the number one thing, just to survive. [interjections] I hear some chuckles, but it's not funny. It was a very serious thing. There are a lot of strong reasons why people maybe want to drop out. I don't know of anyone that had a stronger reason than I did to want to drop out of school when I was 12 years old. Lucky for the foresight of my parents, who did only have – my father had a grade 8 education, and my mother had grade 10. Lucky for their foresight. They insisted. They didn't allow me; they forced me, as the member said. It was not my desire to go. Well, my parents stepped in, and I thank God that they did.

So I urge everybody in this Assembly, Mr. Speaker, to think twice before they shoot this down and to support this bill.

4:10

**The Acting Speaker:** The hon. Member for Edmonton-Meadowlark.

**Mr. Maskell:** Thank you very much, Mr. Speaker. It's my pleasure to rise in the Assembly today to again participate in the discussion and debate of Bill 203, the School (Compulsory Attendance) Amendment Act, 2003. As I said previously in second reading, initially I had some doubts about this bill, but then, you know, after three decades the ghosts of students past – I saw those faces and remembered the youngsters that I wished I would have been able to help and keep in school.

Mr. Speaker, I must stress that we're now living in a global, knowledge-based society where the requirements for skills and knowledge are rapidly evolving as learning and the capacity to learn take on fundamental economic and social importance. Moreover, the attainment of knowledge, skills, and education will soon determine to a greater extent the success of both individuals and democratic societies in economic as well as social terms.

Bill 203 sets out to achieve three objectives: increase the mandatory school attendance age from 16 to 17, apply this age requirement universally and consistently, and thankfully eliminate the use of attendance boards. There has been no more useless, wasteful activity for school principals and counselors and so on than trying to make these school attendance boards work. Anybody who tells me that principals haven't been consulted and that they don't support this idea – I certainly wouldn't mind having a little chat with these people to see what they were really thinking at that moment in time.

As I feel that all three objectives are important, I find the most valuable to be the increase of the mandatory school attendance age. Mr. Speaker, high school graduation is an important goal and

provides many benefits for the individual and for our society. Measures to reduce the number of high school dropouts in Canada have primarily focused on providing more programs, more counseling, and more supports. Most of these measures replicate existing school structures and processes. I acknowledge that these measures are important and have improved our education system, but I also feel that increasing the mandatory attendance age will be an important step, taken along with these other initiatives, to address the number of high school dropouts.

Results of increasing the mandatory school attendance age have proven favourable for New Brunswick. Completion rates have increased for both Anglophone and Francophone systems since it became a requirement for youth to stay in school until they graduate or turn 18.

Mr. Speaker, we are living in a world where standards are high and graduates must be capable of strong performances and productive contributions to societal development. Adolescents who are dropping out of school do not have a grasp of what lies ahead. They believe they know what is best for them, although they cannot fully comprehend how their actions today will affect them in the future. Bill 203 would require youth to stay in school until they are 17 years old, bringing students one year closer to graduation and better prepared for an ever changing society.

Early school leavers often describe their personal and social lives as being difficult. They also express that the adults in their lives did not support or help them to stay in school. I have to tell you – and I've said this before – how many times students have said to me: why didn't you make me, why didn't you help me stay in school? A legal provision increasing the mandatory attendance age would reinforce and bring a heightened awareness of the importance of secondary education. This bill would send a clear message urging students to complete their studies.

It must also be noted that early school leavers often do see the value in education and fully intend to return. However, once individuals leave school, the likelihood of them returning declines. Moreover, the longer these individuals are away from school, the less likely it is that they will ever return. We must help these individuals in school, encouraging and supporting them to obtain their diploma. Students leaving school are not doing so primarily due to poor achievement. Many of those who drop out have good or excellent grades. It is clear that students leaving are not struggling with their marks, necessarily. These students are talented students that should not be exiting our schools, and this bill can help keep them in the classroom.

Bill 203 is one measure that could help to increase the completion rate of secondary students. It keeps students in school for one year longer, bringing them that much closer to graduation. Studies indicate that the closer they are to receiving their diploma, the more likely they are to stay in school. I do not believe that this bill will ultimately solve the problem of high school dropouts in our province, but it's definitely a step in the right direction.

Society has evolved over a number of years into a knowledge-based entity. It is argued that a key feature of this new world society is the increased emphasis on intangibles such as knowledge, ideas, and intelligence rather than the tangible goods that have long been the staple of human interaction. It is essential now more than ever that individuals obtain a basic set of learning skills.

Mr. Speaker, high schools are undergoing increased program flexibility, and I would say that all of the members in here don't even know what that means. I mean, schools are moving away from that old 9 to 3 mentality, that agricultural mentality. We're looking at flexible kinds of scheduling now where we can have trimesters, where students can move through far more quickly than they did in

the past. We've got to get kids out of that failure cycle and courses where if they didn't finish by the end of June, they had to repeat it again, and they might have got stuck with Mrs. Smackhammer for a second or third time. Then they may have been doomed, and poor Mrs. Smackhammer was doomed as well. With the new kind of flexible scheduling that we can provide students, this helps keep them in school.

High schools are altering their programming to accommodate students. We're also seeing a greater choice in courses offered throughout high schools which are not solely based on academics. High schools are offering relevant program options that better meet student needs. Education used to favour academically oriented students. This isn't the case anymore. Program options offered do vary according to the school, but there are many different learning opportunities within Alberta's education system. These alternative courses also provide a chance for students to explore other areas of interest and potential career choices.

Education, skills, and knowledge are fundamental aspects for the growth of individual Albertans and our society as a whole. This bill would help to increase the completion rate of secondary education and thus would help to better prepare Alberta's youth. These individuals are the future of our province.

Mr. Speaker, it's evident that in a competitive economy dominated by technology and advanced skills, high school completion may be the minimum level of education needed in order to have an opportunity to compete in the labour market, obtain an entry-level job, and secure a basic standard of living. Furthermore, much more education and training are required for any positions beyond entry level, basic incomes, and life chances. Anything less than the minimum may restrict youth to long hours, tedious jobs with little opportunity for advancement, and a low quality of life. The economic and social costs to individual Albertans as well as to our communities are too high to become complacent about a 25 percent noncompletion rate of Alberta high school students. A commitment of our province's education system must be to provide each citizen with opportunities to grow personally, professionally, and as a citizen in accordance with his or her abilities, preferences, and interests.

Mr. Speaker, Alberta is dedicated to providing excellent education services to its citizens. The province is devoted to ensuring that the Alberta education system remains one of the best in the world. However, we need to make sure students receive the benefits of our education system by completing their secondary schooling.

The noncompletion rate of students in Alberta is among the highest when compared to other provinces. A completion rate of 72 percent with an additional 3 percent of dropouts returning to school are not numbers to be pleased with. Colleagues, this is not acceptable. We need to ensure that more students stay in school and receive the benefits of graduating from a secondary institution in our province. Alberta needs to render certain that its citizens are equipped with the knowledge, skills, and qualifications they will need to be competitive in the workforce.

4:20

**The Acting Speaker:** The hon. Member for Clover Bar-Fort Saskatchewan.

**Mr. Lougheed:** Thank you, Mr. Speaker. I'm sure all of us here would agree that education is very important, and certainly from my perspective of many years in the classroom and in administration I would just like to offer a few observations with respect to this bill before us. I'm sure we're all keen as well to devise some kind of mechanism to improve student achievement. However, I do believe that sometimes a few individuals cannot be convinced of the

importance of education. These students would undermine the best intentions of parents and teachers and even Legislatures and legislators.

How do they do this? Well, they do it by taking courses that lead to no career path because they have some minimal interest in it or are taking the lesser of some subjects that they don't want any of. Sometimes they enroll, but they don't attend, and we allow, unfortunately, intermittent attendance, which is a bad learning experience for the student when society expects production on time and of good quality from anybody that's hired in our workforces today. In fact, some students are suspended, Mr. Speaker, for misbehaviour or even for nonattendance. For not attending school, the only resource left for the boards, the teachers, and the administrators is to expel a reluctant student from the school.

Some would suggest that legislation might help, and perhaps this bill before us might even help, but if a student does not want to go to school, he or she will not attend or, even worse, they will attend and make life miserable for everyone, including the students and the teachers and the administrators in that school. In fact, to further illustrate the futility of legislation to compel students to attend, many students after appearing before a judge on various charges are ordered by the judge to attend school. What's the result of the judge's order? Well, in many cases nonattendance or, even worse again, disruptive attendance. They're there. They disrupt school activities, but by virtue of the judge's order, they have some legitimacy for being present in the school, or in fact they may even engage in further illegal activities.

I'd further submit that for students who feel that school is not for them, there are many alternative programs that have been developed: storefront schools. We've got the RAP program, the registered apprenticeship program. We've got virtual schools. We've got distance learning. We've got home schooling.

We must be careful of scapegoating others for the lack of student success. Often teachers are the targets. Some will say that teachers don't offer them motivation or the challenge and so on. We must also be careful about seeking to compel students to attend school in an effort to ensure their success. Too often we fall into a trap of believing that student success depends primarily on other factors, factors such as school size, funding, programs, homogenous groupings, extracurricular incentives, or even the school-leaving age. Instead, I believe academic success is primarily determined by three factors: first, the commitment of the student; secondly, the support of the family; and third, the skill and dedication of the teachers. These are the factors we must emphasize, and to pass legislation like this bill to increase the school-leaving age only serves to detract from the student, the family, and the professional responsibility.

I urge all members present to oppose passing the revision of the School Act. Thank you.

**The Acting Speaker:** The hon. Member for Calgary-Montrose.

**Mr. Pham:** Thank you, Mr. Speaker. I originally did not plan to participate in the debate on this bill, but after listening to the speakers from both sides, I feel compelled to join the debate at this time. First, let me say very clearly that education is very important and that every effort should be made to make sure that Alberta children can access the best possible education. I also agree with the previous speaker that we should do everything that we can to reduce the high school dropout rate in our province, but forcing the students to stay in school is not the answer. Staying in school and graduation are two totally different things.

I have a personal story I would like to share with the Legislature. When I was 17, I dropped out of school because I couldn't afford to

stay in school, Mr. Speaker. I had to go out and find a job to support myself to go to school at that time, and thankfully we didn't have Bill 203 in place at that time. My parents were not here with me, and I had to make sure there was money to pay the rent and pay for the food, and the only way that I could do that was to go to work in the daytime and go to school in the evening. I still remember those days very vividly in my mind. I never graduated from high school, but I was able to earn enough credits to go to university later on and graduate from university.

I agree with the previous speaker that the most important factor that contributes to the success of a student is his or her own determination. Passing legislation forcing students to stay in school will not make better students out of those students who do not want to stay there. They will only distract the other students in the classroom, and in some cases it may do more harm than good.

I urge everybody to vote against this bill. Thank you, Mr. Speaker.

**The Acting Speaker:** The hon. Member for Little Bow to close debate.

**Mr. McFarland:** Thank you, Mr. Speaker. I understand that I have five minutes. I would like to try to summarize maybe four of the key points that I've heard today. I'll maybe just bounce around a little bit.

Number one, the whole intent of the bill in upping the legal leaving age to 17 is not to force any student who's in an apprenticeship program or who wants to be there who can't afford to go to school. It's to try to provide through a regulatory framework, which I'd be more than thrilled to work with the Minister of Learning on, the opportunity to provide flexibility and deal with the students on an individual basis rather than giving carte blanche to anyone that feels like they're ready to face the world and leave school when they're 16. If somebody is short of funds, ideally we could manage an educational plan so that they could come back to pick up the courses and go out to work, much like they have in a co-op program at university. I do feel that the apprenticeship program that one of the members brought up is an ideal opportunity for the counselors, the parents, the students, the school to help design their educational plan so that they know how they're going to get to that minimum requirement that they're going to require for many of the apprenticeship trade programs, whether it's 55 percent minimum in 20- and 30-level courses. But help them get there rather than leaving school and then finding out that they have to upgrade for a year and a half and in the meantime have worked for minimum wage.

I am very happy that a couple of my colleagues brought up the no-no, the Hutterite colonies. I'm so thrilled to hear that there are actually a couple of people who've got two or three colonies in their whole constituency. Guess what, people? I've got 23 in a 60-mile radius of our community, and I'm going to tell you something to set the record straight. There is not one child – not one child – that I have been aware of in any of those 23 who has completed school after their 15th year. They have left school on their 15th birthday, in the middle of a school year. Another popular myth: they're taking an apprenticeship program. Could be. They're learning how to be carpenters and mechanics, but I can tell you one thing. The colony is getting free labour, and they're not paying unemployment insurance. They're not paying a lot of the different things that the businessman who has to put a student through a registered apprenticeship program is compelled to do, nor are they being instructed by a qualified journeyman mechanic, carpenter, welder, or anything else. They're learning from their fathers, and I don't have a problem with that, but it is not comparing apples to apples.

I would also like to bring forward that with this bill you don't have to stay in school, as some might think, until you're 17 even if you've completed or graduated. If you are very bright and you complete school when you're 16 or 16 and a half or 16 and three-quarters, at the end of the semester you graduate. You're out of there. You don't have to stick around till 17. Why would you? You want to go to university. You want to go to college.

4:30

Lastly, I want to go back to an individual who approached me, Mr. Speaker, two weeks ago. The individual came from one of these communities that people mentioned having in their constituencies. The fellow left the colony when he was 14 years old, came to Edmonton. He's worked as a mechanic, or tried to. He's been taken advantage of by an employer because he couldn't read or write. He's been evaluated by a career development college here in town with a grade 3 level of education. He's been ripped off by his employer, who told him he would be paid \$14 an hour, and he finds out he's got \$9,000 for the entire year. He was so grateful that somebody was doing this. He said: you know, I may not have left the colony if I could have stayed and had some education. But, in fact, he left because he had a horror story. He was beaten by his German teacher. He spoke no English, could write very little. He's here living on social assistance now, and he said: this should have happened a long, long time ago.

With that, Mr. Speaker, I'm sorry we had to go back to one particular instance, but I will tell you that I have not had anyone particularly jumping up and down saying that we should have this bill, but I was thinking of the betterment of our youth today and our youth tomorrow and how they're going to adapt to the 21st century.

Thank you.

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

[Several members rose calling for a division. The division bell was rung at 4:31 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mr. Shariff in the chair]

For the motion:

Ady	Griffiths	Masyk
Boutilier	Hlady	McClelland
Calahasen	Horner	McFarland
Cao	Lund	O'Neill
Carlson	MacDonald	Taft
Cenaiko	Marz	Tannas
DeLong	Maskell	VanderBurg
Dunford	Massey	Zwozdesky

Against the motion:

Abbott	Hancock	Pham
Broda	Jacobs	Rathgeber
Danyluk	Knight	Stelmach
Doerksen	Lougheed	Stevens
Friedel	Melchin	Strang
Goudreau	Ouellette	Tarchuk
Haley	Pannu	Vandermeer

Totals:	For – 24	Against – 21
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[Motion carried; Bill 203 read a third time]

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

**Bill 204**  
**Insurance (Accident Insurance Benefits)**  
**Amendment Act, 2003**

[Debate adjourned March 10: Rev. Abbott speaking]

**Rev. Abbott:** Mr. Speaker, it gives me great pleasure to resume debate on Bill 204, the Insurance (Accident Insurance Benefits) Amendment Act, 2003, in the Assembly this afternoon. As mentioned when I began this speech almost a month ago, recently Alberta has seen quite a bit of debate over the workings of the insurance industry as well as the litigation surrounding insurance claims. It is my hope that this bill can once and for all protect the granting of section B benefits from the often contentious battles that insurance companies and injury lawyers get into over benefits that a client ought to receive. I would like to remind this Assembly that the purpose of Bill 204 is to amend the Insurance Act to increase the limit on section B medical benefits delivered to those who have been in an automobile accident to \$25,000 over four years from the current level of \$10,000 over two years. Bill 204 also includes provisions for a dispute arbitration mechanism between insurance companies and claimants receiving section B medical benefits. That's basically where we left off last time, Mr. Speaker, so this brings me back to my third point regarding independent medical examiners.

It is this section of Bill 204 that I believe really puts consumers back at the heart of insurance concerns. As it stands currently, Mr. Speaker, any insurance company wishing to stop paying medical benefits to claimants can send claimants to a doctor of the company's choice, and if that doctor states that the medical benefits are of no use to the claimant, the claimant can be cut off from further medical benefits. Now, if that person is still injured, they can sometimes fall back on Alberta Health and Wellness' medical services and cost Alberta taxpayers money that should be covered by their insurance companies, or they may even end up at a Human Resources and Employment office seeking AISH benefits.

The assumption among many civil trial and insurance lawyers is that the current system for assessing a section B claimant's health is unfair to the patient. It's also assumed that with a change in the law requiring that doctors be chosen from an impartial list, the process will be made more fair for claimants. If they're being honest, lawyers and insurance reps will both tell you that they hire doctors who will spin medical information to their side or their point of view one way or another.

Now, Bill 204 would alter the current arrangement by setting up an impartial arbitration mechanism to settle disputes between insurance companies and claimants. As well, Bill 204 would establish independent medical examinations by mandating that the examiner be chosen from a list approved jointly by the College of Physicians and Surgeons and either the Minister of Finance or the superintendent of insurance. By asking for an independent medical examination group . . . Is that the end of my time?

**The Acting Speaker:** Hon. member, you had three minutes left on the time allocated to you.

**Rev. Abbott:** Thank you.

**The Acting Speaker:** The hon. Member for Calgary-Fort.

**Mr. Cao:** Thank you, Mr. Speaker. It is my great pleasure to rise today in support of Bill 204, the Insurance (Accident Insurance Benefits) Amendment Act, 2003. Most of us know someone who has been involved in an automobile accident. In fact, some of us may even have had an unpleasant experience ourselves. Even if it's just your car that gets damaged, it's an experience that we do our utmost to avoid. Dealing with insurance companies and auto mechanics tends to take a lot of time and cause a lot of frustration, and until the process reaches its conclusion, one is likely to feel as if one's life is under the complete control of others.

4:50

As if that weren't enough, Mr. Speaker, you can imagine what it's like when an accident involves personal injury. If you are the party responsible for the accident, you will have the guilt of knowing that someone is hurt as a result of your actions. If you are the injured party, worries about your health, your job, and other matters set in almost immediately. This, of course, says nothing of the accident where lives hang in the balance or, worse, the accident results in death.

At any rate, Mr. Speaker, a car accident can in a matter of seconds turn a perfectly fine day into a living nightmare whether or not you are responsible for the accident. The last thing anyone should have to worry about at such a time is money. Whether one has been injured or caused the injury, one should be able to concentrate on getting well and on returning to normalcy, not getting matters settled.

Now, Mr. Speaker, section B benefits are classified as medical benefits that must be delivered by insurance companies to a person who has been in an automobile accident regardless of whether or not the person is held responsible for the accident. In many cases when claimants are pursuing a larger settlement or award through litigation, section B benefits constitute the money they use to pay for their immediate medical costs.

If I may, I'd like to speak bluntly for a moment. Let us assume for argument's sake that in a situation like this the insurance companies are loath to pay out any more than they absolutely have to. Claimants, in the meantime, want to be awarded as much as possible. I realize that these are generalizations, but they do show how the insurance companies and the claimants take two fundamentally opposing attitudes regarding compensation. No wonder, then, that lawyers get called in and that no one likes dealing with insurance companies. It seems obvious to me that when claimants are awarded large settlements, these awards contribute directly or indirectly to rising insurance premiums. No one likes that either.

Therefore, Mr. Speaker, one of the main benefits I see stemming from the passage of Bill 204 is that if we were to raise the limits on section B medical benefits from the current level of \$10,000 over two years to \$25,000 over four years, we would provide accident victims with a cushion against the costs associated with the aftermath of an accident. Moreover, by increasing the time period in which claimants can access section B benefits as well as the amount available for such claims, Alberta would ensure that accident victims were more likely to get the treatment they required under section B claims.

Mr. Speaker, I am also inclined to think that the passage of Bill 204 could have an additional unintended benefit. It would raise awareness of the importance of having proper insurance coverage. Opting out of certain kinds of coverage can prove disastrous at times when you would need it the most and can make you vulnerable to legal action.

What if you are the victim of an accident? Once you've seen a doctor, had your diagnosis made and your claim approved, aside from the aches and pains you may be experiencing, that's more or



less all. But that's not necessarily so. This is where Bill 204 could offer another benefit to the insured and the insurers as well. You see, Mr. Speaker, at the present time if an insurance company wishes to stop payment of medical benefits to a claimant, it can do so. Of course, on termination of the claim the claimant must see a doctor, but in situations like this the insurer will in all likelihood send the claimant to a doctor of his choice. If that doctor states that the medical benefits are not warranted, well, there goes the payment, and the claimant is cut off.

Mr. Speaker, if this doesn't sound fair to you, you are not alone. I don't approve of such procedures and apparently neither do many civil trial and insurance lawyers. Among them the prevailing view is that the current system for assessing a section B claimant's health is unfair to the patient.

So how can we make this part of an already difficult experience easier and less cumbersome? As I mentioned, one of the other benefits of passing Bill 204 is the establishment of an impartial arbitration mechanism to settle disputes between insurance companies and claimants. Such a mechanism would I think be appealing to all parties. Particularly, it could have the highly desirable outcome of keeping out of court a large number of cases that really can and should be settled out of court.

If that weren't enough, Mr. Speaker, Bill 204 would make mandatory independent medical examinations to limit the instances where either party takes issue with a particular diagnosis. This is a simple solution to what can often be a big problem. The independent medical examination would be accomplished through the compilation of a list of physicians approved jointly by the College of Physicians and Surgeons and either the Minister of Finance or the superintendent of insurance. From this list, then, an independent medical examiner would be chosen in contested cases. His or her diagnosis would be applicable to both the insurer's case and that of the insured.

Mr. Speaker, while the insurance industry in Alberta is not operated by the government, the fact that it is regulated by the government makes it subject to the values and goals that guide us. I include this aspect because I believe that although we no longer run the insurance industry in Alberta, it is subject to provincial regulation. To my way of thinking, these regulations must reflect the values and goals of the government. Establishing a dispute mechanism and mandating independent medical examinations would be consistent with the principles of fairness and openness which have guided us and continue to guide this government.

Let I be remiss, I think we can assume that with the change in the law requiring that examining physicians be selected from an impartial list, the process will be more fair for claimants. Presumably, this will result in lower costs to the insurance industry, and I feel certain that this will be the case in the longer term.

This is important too but for an entirely different reason. While Alberta is a people-friendly province, we are business friendly too. We know that creating a climate conducive to business will make Alberta a place that companies find desirable in which to do business and in many cases also to be located here. We are sometimes criticized when we lower corporate taxes. While it is important that we always accompany corporate tax reductions with tax breaks for individuals, lowering corporate taxes has benefits that go far beyond leaving companies with more money. Reducing corporate taxes creates a business climate that makes companies want to operate in Alberta, and if they are already here, it makes them want to stay here. When companies want to stay here, it means that they are going to give jobs to Albertans.

A quick look through our wallets and pocketbooks will, I am sure, reveal the variety of insurance costs.

I would like to encourage our members to vote for the bill. Thank you.

**The Acting Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you very much, Mr. Speaker. It's with interest that I rise to participate in the debate on Bill 204, the Insurance (Accident Insurance Benefits) Amendment Act, 2003. Certainly, I wouldn't be alone in this Assembly talking about the visits that we all have to our constituency offices from individuals who are concerned about the high cost of automobile insurance and other insurance policies in this province. Certainly, it has increased dramatically. We all know the effects on inflation that energy deregulation has had in this province, but at the same time insurance premiums are also mentioned as one of the contributing factors to our inflation rate, which last month was over 7 and a half percent. Now, what should we do to reduce insurance premiums and make insurance policies more affordable for Alberta consumers? Well, the first thing that I would certainly like to see accomplished is an all-party parliamentary committee, a fact-finding committee, to study this industry as it currently exists in this province.

5:00

**Mr. Rathgeber:** Are you looking for a job?

**Mr. MacDonald:** Yes. The hon. Member for Edmonton-Calder has asked if I would be interested in a job. I would certainly be pleased to sit on an all-party parliamentary committee to study this issue in the province, and included in that committee would be perhaps a visit to Calgary, perhaps a visit to Cochrane, perhaps a visit to Grande Prairie, Drayton Valley, certainly, and Whitecourt. This committee could hear directly from citizens who were affected by the high cost of insurance. Not only citizens but some business enterprises have contacted this member and have expressed a great deal of dissatisfaction with the current premium increases.

Now, we know that there has been a significant decline in the stock markets across North America and other parts of the world, and this has created financial pressures on the insurance industry. The insurance industry in the past has been able to rely on a double-digit return on their investment pool, and that has been a fact, a way of life for the industry, but we note that the government of Alberta, the Department of Finance in particular, states that the profitability of property and casualty insurance companies, or P and Cs, is sensitive to small changes in investment returns. The profitability of the Canadian P and C industry is cyclical, and profitability fell in the early '90s and recovered strongly between 1994 and 1997. That does not apply today, but if you look at the insurance industry over a long period of time, it has certainly survived and prospered.

Now we are in this period of very, very high premiums. We are at risk in this province of having some insurance companies refusing to take new customers or new clients. What is that going to mean for the market premium rates for everyone? I don't know. Certainly, that would be another reason why we should have an all-party parliamentary committee to study this issue. The insurance industry, Mr. Speaker, I note, after-tax profits declined from \$908 million for the first six months of 2000 to \$269 million for the first six months of 2001. These statistics were last updated in October of 2002, and I believe they came from an Alberta Transportation web site.

When we consider how the markets operate and how investors in the equity markets can expect a return to historical rates of return at some point in the future, hopefully premiums would decline, but if permanent changes to the civil justice system are made that result in improving the profitability, the Department of Finance must be

vigilant in ensuring that when market conditions improve, these changes do not result in completely inappropriate windfall profits down the road. I have not experienced in my lifetime as a driver, as a consumer of automobile insurance, even though I've had no accidents, a decline in my premiums. I thought that as I got older, my premiums would go down, but that certainly has not been the case. I consider myself lucky in this province that the insurer that I do have is willing to continue to offer insurance.

Now, Mr. Speaker, in regard to Bill 204 we look at raising the maximum amount of medical benefits and rehabilitation to \$25,000 from \$10,000. The hon. Member for Drayton Valley-Calmar is anxious to allow for a claimant to call on a dispute resolution panel made up of a doctor picked from an approved list by the insured, one by the insurer, and one jointly if the insurer terminates benefits. I would be very interested to learn from the hon. member just precisely what sort of a cost saving the member envisions here, if any, and how this will speed up the process.

There are two issues to be dealt with here. When we look at this bill, it certainly sounds like it is helping accident victims. However, the IBC, or the Insurance Bureau of Canada, insists that it will drive up the cost of insurance premiums and deliver a result that isn't any better. The Insurance Bureau of Canada, as I understand it, states that victims deserving more than \$10,000 can access a larger reward through a tort claim or by having purchased optional coverage. A general insurance ombudsman service was instituted across Canada last year. After we have a look at that and we look at another piece of legislation that's a government piece of legislation – I believe it's Bill 33 – I'm not sure if one is not contradicting the other here. Perhaps in due time of debate the hon. member can clarify that for the House and for this member.

Certainly, when we look at this bill and when we understand that when an insurer terminates benefits on the basis of a medical report, the insured may request a review by this dispute resolution panel consisting of a physician. Now, if that were to go ahead and this bill was to become law, if accident victims in this case with Bill 204 can choose a physician for accident insurance purposes, why not victims involved, Mr. Speaker, in WCB claims? The WCB is in my view in a world of its own, and if you talked to some of the injured workers across the province, they would agree with me. Last year before closure, whenever we debated Bill 26, there was at least hope that the system would be improved, but unfortunately it has not. In light of what's being proposed here, if it's good enough for the insurance industry, I would have to question why it would not be also valid with WCB.

Now, as I understand it, this panel as proposed "must be provided with all medical reports and relevant information held by the parties," and "the panel may require the insured to undergo a medical examination."

5:10

**The Acting Speaker:** The hon. Member for Edmonton-Norwood.

**Mr. Masyk:** Thank you, Mr. Speaker. It's my pleasure to rise today and speak to Bill 204, the Insurance (Accident Insurance Benefits) Amendment Act, 2003, sponsored by the hon. Member for Drayton Valley-Calmar. It is such a good bill that I think I'll vote with high octave and high decibel when I holler. Bill 204 amends the Insurance Act to increase the limit on section B medical benefits delivered to those who have been in an automobile accident to over \$25,000 over four years from the current levels. As well, Bill 204 includes stipulations for dispute arbitration mechanisms between insurance companies and claimants receiving section B medical benefits. This will hopefully help clear up any contentious issues that arise when claims are being made.

Mr. Speaker, this bill essentially is an attempt to make this section of the Insurance Act into a more no-fault insurance system rather than focusing on the tort system that we have in place right now. The tort system is one which is causing extreme hardships to the insurance industry, and I believe it is part of the cause for rising premiums that so many people are dealing with in this day and age, especially when it comes to premiums that have to do with automobile insurance.

Mr. Speaker, a tort is a legal term for a wrong. The tort law is composed of statutes and court decisions that give you the right to sue someone who causes you harm, whether it's careless driving, a corporation that manufactured a defective product, a credit card company that overcharges you, or someone that slaps you on the sidewalk. This system is the cause for the steep rise in civil lawsuits over the past decade as more and more cases become heard in the court system. Insurance companies have dealt with the court system for many years, especially with respect to the automotive industry. For instance, under the tort system if I was in a car accident and it was not my fault, I could sue the driver of the other vehicle for all he has. This is my right in the province under this system.

The problem with the tort system is that when individuals sue, their automotive insurance companies usually have to pay the money and therefore increase the cost of premiums as the companies need to find ways to get their money back. Mr. Speaker, compensating auto injuries through the tort system imposes a significant cost to all types of businesses and individuals, ranging from small entrepreneurs to corporations with thousands of vehicles to folks like you and me or people you see at the corner store. For many businesses auto insurance is an irrevocable cost of doing business that must be covered by prices they charge customers. Unfortunately, all the factors that make auto insurance extremely expensive are very hard to reverse, and I feel that we are in an upward spiral when it comes to rising premiums in insurance. The incentives of the tort system encourage accident victims to inflate their insurance claims above their actual losses in order to increase their damage awards.

Mr. Speaker, it's noted at some point that when somebody gets in an accident, they open the glove box and there's already an inflatable neck collar. We have to discourage these things. This lawsuit-based system for compensating auto injuries allows claimants to seek payment for uneconomic losses. Of course, absent from this is an objective way to value such uneconomic damages such as pain and suffering. So the rule of thumb is for lawyers and the claimant to calculate these losses at two or three times the claimant's economic losses. Economic losses are things like lost wages and medical expenses. Since pain and suffering awards are measured as a multiple of medical and wage losses, there's a powerful incentive to inflate one's claim of economic damages and pursue legal action. This should give all members a better idea of why insurance premiums have been going through the roof of late.

As more and more people are suing and insurance companies pay for it in the end, that is why in principle Bill 204 is a good idea. Bill 204 takes away some of the problems that have been associated with and caused by the tort system. It makes section B benefits move toward a more no-fault insurance system, and I feel that a no-fault insurance system is a much better way of operating for automobile insurance. No-fault insurance is a general term that is used to describe any auto insurance system that requires drivers to carry insurance for their own protection and places limitations on their ability to sue other drivers for damages. In an accident under no-fault laws your auto insurance company will pay for damages regardless of who was at fault in the accident. Any other drivers involved will be covered by their auto insurance policies.

Now, Mr. Speaker, there are many benefits in the no-fault

insurance system. First, there's a quicker payment of claims by eliminating costly and time-consuming litigation over liability, and it reduces the number of lawsuits. Those costs are part of what drives up insurance premiums in the first place. Another benefit, and one of my personal favorites, is that there is no splitting of fees with lawyers. This is a huge benefit as a lot of times lawyers encourage inflation of costs and get more for their clients than themselves. Isn't that something?

Another benefit is that since the price of insurance is ultimately reduced, the lower rates mean that auto insurance is accessible to people with lesser means. As a tort system drives prices up, no-fault insurance is best to bring prices down. Granted, it's true that no-fault insurance can be a bit more expensive. However, in the long run it'll be far cheaper than would be the tort system, Mr. Speaker.

Again, Bill 204 will bring more no-fault to our insurance system. Our system is a bit of a mix of two systems, tort and no-fault, but it leans more towards the tort system, which in turn is a reason for premiums steadily rising. By increasing the amount of benefits that a person can get under section B and by setting up an impartial arbitration mechanism to settle disputes between the claimant and the insurance companies, we'll make it more fair for the claimant. Fairness means a better system for all. By increasing section B benefits, we would be ensuring that people who are in accidents are able to get money for the treatment right away.

Mr. Speaker, this means that lawsuits' time is cut dramatically, and this saves money for everyone. Saving money is a good outcome of this bill as we as a government do the best we can to save money. This bill is an opportunity for Albertans to save money on their insurance premiums, and in the long run it also gives us an opportunity to move away from litigation that clogs up the process. The tort system in reality causes hardship. I believe that Bill 204 – well, it's a small step in my notes, but I think it's a big step in the right direction to help fix the problem.

Mr. Speaker, I want to thank you very much, and that, they say, is that.

**The Acting Speaker:** The hon. Member for St. Albert.

**Mrs. O'Neill:** Thank you very much, Mr. Speaker. It is a great pleasure to rise and join debate on Bill 204, the Insurance (Accident Insurance Benefits) Amendment Act, 2003, sponsored by the hon. Member for Drayton Valley-Calmar. Albertans are becoming increasingly dependent on the automobile as a preferred form of transportation, and statistics show that there has been a dramatic increase in the number of cars on Alberta's roads and highways over the past 10 years. I was somewhat startled to hear on the weekend – our economic development officer in St. Albert told me – that in our community we have 3.2 cars per household, which is quite a number. However, I can also tell you that I've received a number of calls from constituents who find that the rising rates of insurance are indeed preventing them from driving those cars in some instances and certainly from driving them with the coverage that they should properly have.

There is a stretch of highway 2 near Red Deer that was used by close to 15,000 vehicles per day in 1993, and it's interesting to note that that number has increased to close to 25,000 today. That's an increase of a thousand vehicles per day per year for the last 10 years. It's an example of one of the less congested areas of Alberta's main highways. Why do I speak about that? I speak about it because we are in Alberta using cars as the major mode of transportation in increasing numbers, daily in fact. Although these statistics are limited to Alberta's highways, the increase in the number of vehicles on city streets is just as dramatic.

5:20

Now, Mr. Speaker, the issue that concerns me the most as I read these statistics is that the more vehicles that are on the road, the more chance there is of an accident. In 1997 there were 92,365 traffic collisions on Alberta roads and highways. In 2001 there were 104,463, and that's an increase of 12,000 collisions in four years, or a 13 percent collision increase during that time period. Imagine what those numbers are going to be like in another five or 10 years when the number of vehicles on the road doubles, and statistics suggest that they will double.

These numbers concern me for one reason and one reason alone, and that is the insurance premiums. It seems at times that insurance premiums, especially for auto insurance, are always on the rise for any number of reasons, sometimes valid, other times curiously specious. I read in the news a while back that insurance companies were going to raise premiums because the city of Edmonton didn't plow its streets often enough.

In 1995 section B of the insurance policy in the regulation was increased from \$5,000 to its current \$10,000 limit. This increase along with increases for funeral expenses, income replacement, and death benefits resulted in premium increases from about \$25 to \$55 per vehicle. We need to keep this in mind when we look at Bill 204. I think this bill has its heart in the right place, Mr. Speaker. By increasing the limit on section B medical benefits to \$25,000 over four years from the current level of \$10,000 over two years, it is possible to see a decrease in lawsuits against insurance companies as many people in insurance firms will choose to participate in section B payout instead of suing. The average section B payouts have stayed at reasonably the same amount for the past five years. However, I believe that a majority of individuals involved in accidents do not bother to claim section B benefits because \$10,000 over two years may not cover their medical expenses. So instead of accessing their section B benefits, they choose to sue for more adequate amounts of money that cover all their costs. By raising the limit on section B medical benefits, it is possible that more individuals will access those benefits instead of suing the insurance company, and any decrease in the number of lawsuits brought into insurance companies would be extremely helpful in the battle to decrease insurance premiums for consumers.

Now, although I support the aim of Bill 204, I firmly believe that this needs to be looked at as only one step in a whole process of reform. Mr. Speaker, the Assembly's main concern should be the reform of the Insurance Act to address specifically rising insurance premiums. I hear it from my constituents all the time. Over the last two years automobile insurance premiums have increased by 20 to 30 percent annually. The Department of Finance is currently conducting a consultation on minor tort reforms to the automobile insurance system which may assist with stabilizing premium increases. The review of the automobile insurance system is slotted for 2003 and is driven in part by concerns over the ever increasing rise in automobile insurance premiums and lack of available automobile insurance from the regular licensed market. I look forward to proposed changes to protect Alberta automobile drivers from what I will call exorbitant insurance premiums.

I would also like to recognize and commend the Department of Transportation on their continued support of pre-emptive measures such as safe roads. Through the safe roads program Alberta Transportation recognizes that the cost to society resulting from traffic collisions is staggering. In Alberta in 1999 traffic collisions killed 347 people and caused an astounding 25,451 other nonfatal injuries. The sad truth is that the majority of these deaths and injuries could have been prevented.

In 1999 approximately 89 percent of all collisions involved an

error on the part of at least one of the drivers. In 1999 approximately 9.6 percent of all collisions involved at least one driver traveling at a speed too great for the given conditions, and this jumps to 21.6 percent for fatal collisions. Mr. Speaker, Albertans have a greater chance of being in a collision than winning a lottery, and every Albertan – I don't say this happily – can expect to be in a car crash at least once every 10 years.

Mr. Speaker, all of these collisions are adding to the number of claimants that sue insurance companies to help cover the expenses of the accident. It would be my hope that by increasing the limit on section B medical benefits, that number would decrease due to significant coverage through legislation. My fear, however, is that insurance companies will see Bill 204 as yet another reason to raise premiums and the number of lawsuits will not subside with an increase in section B benefits. If this were to happen, premiums would continue to rise.

So while I support the intent of the bill, I feel that government legislation should concentrate on other areas of the Insurance Act if we are to pursue any type of amendments we want to see in the renewal of this act. My main concern is with the cost of insurance premiums and the burdens that they bring to the average Albertan with a clean driving record. It would seem at times that by keeping a clean record, you still have to pay for the misfortunes and the

mistakes of others because of increased premiums. It is my opinion that before any changes can be made, it's necessary for Alberta Finance to examine insurance consumer issues during the automobile insurance review this year. If an increase in section B benefits is what Albertans desire for their auto insurance, it is at that time that this bill could be brought forward, but that would be at a later date.

Thank you, Mr. Speaker.

**The Acting Speaker:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Mr. Speaker, I would like to continue this debate, but given the hour, I move that we adjourn debate and carry on at the next opportunity.

[Motion to adjourn debate carried]

**The Acting Speaker:** The hon. Deputy Government House Leader.

**Mr. Zwozdesky:** Thank you, Mr. Speaker. I would move that we now call it 5:30 p.m. and adjourn until 8 this evening.

[Motion carried; the Assembly adjourned at 5:27 p.m.]