

## Legislative Assembly of Alberta

Title: **Tuesday, March 14, 2006** **1:30 p.m.**  
 Date: 06/03/14  
 [The Speaker in the chair]

head: **Prayers**

**The Speaker:** Good afternoon.

Let us pray. Author of all wisdom, knowledge, and understanding, we ask for guidance in order that truth and justice may prevail in all of our judgments. Amen.

Please be seated.

head: **Introduction of Visitors**

**The Speaker:** The hon. Minister of International and Intergovernmental Relations.

**Mr. Stelmach:** Thank you, Mr. Speaker. I am simply delighted to introduce to you and through you to all members of this Legislature a very special guest seated in your gallery. Our new Minister of Intergovernmental Affairs, the Hon. Michael Chong, president of the Queen's Privy Council for Canada, Minister for Sport, representing a constituency in the province of Ontario, paid a very special visit to our province today. We had a very productive meeting with our department and also Community Development. I am pleased to introduce him to our House. He's accompanied today by Anne Scotton and Mary Jane Armstrong. I would ask them all to rise and receive the traditional warm welcome of this Assembly.

head: **Introduction of Guests**

**The Speaker:** The hon. Member for Edmonton-Castle Downs.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. It's indeed an honour to introduce to you and through you to all members of our Assembly Mr. Issam Al Halabi, mayor of the city of Yanta in Lebanon. Mr. Al Halabi has a bachelor of arts degree and has been a teacher for 25 years in Lebanon in a high school, and he has served as mayor in Yanta since 1996, which equals two terms. He has some very special recognitions in his career achievement. He was a special adviser to the Druze leader Mr. Walid Jumblat from 1985 to 2000 and sits on many political and municipal boards in Lebanon. With him today are two of my favourite constituents, Mr. Ziad Aboultaif and Mr. Henry Shtay, who are hosting the mayor in Edmonton. I would like them to rise and receive the traditional warm welcome of our Assembly.

**Mr. Doerksen:** Mr. Speaker, it is my pleasure to introduce to you and to members of this Assembly two individuals, Mr. Michael Cloutier, who is the president and CEO of AstraZeneca of Canada limited, one of Canada's leading pharmaceutical companies, along with Mr. George Samoil, who is the manager of government relations. They are here to celebrate their investment, a \$10 million investment, in Edmonton's NAEJA Pharmaceutical limited in a bid for the next breakthrough in pain medication. I would invite the gentlemen to stand and receive the warm welcome of the Assembly.

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

**Mr. Cardinal:** Thank you very much, Mr. Speaker. On your behalf I'd like to introduce to you and through you to the members of the Assembly 24 grade 6 students from the Neerlandia public Christian

school, which is located in the Barrhead-Morinville-Westlock constituency. They are accompanied this afternoon by teacher Jim Bosma, program assistants Mrs. Shirley Rauscher and Mrs. Laura Kamminga, parent chaperones Mr. Krikke and also Mrs. Mast. I'd like them to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Martin:** Thank you, Mr. Speaker. It is indeed my pleasure to introduce to you and members of the Assembly 22 keen and bright students from Sifton school. They are accompanied by their teacher Mrs. Wnuk and parent/staff Mrs. McCullum; Mrs. Parenteau, a parent; and Mrs. Narsing, a parent. They're in, I believe, the public gallery. I'd like them to stand and receive the traditional warm welcome of the Assembly.

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

**Dr. Pannu:** Thank you very much, Mr. Speaker. It's with a great deal of pleasure today that I introduce to you and to all members of the House a group of very special guests who are seated in the public gallery. They are from the Ashbourne assisted living facility in my constituency, and their names are Mrs. Joyce Bergquist, Mrs. Karin Welch, Mrs. Kathleen MacLean, Mrs. Alfreda Dober, Mrs. Isobel Rutzebeck, and Mr. Herb Philpott. They are led by Ms Sarah Reynolds. I would now ask them to please rise and receive the cordial welcome of the Assembly.

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

**Mr. Eggen:** Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of the Assembly 16 members of the Yellowhead Tribal College together with their teachers, Linda Anderson and Bill Brady. They are studying aboriginal studies, and they're hoping for a good dose of social studies here this afternoon. I'd ask them to rise please and receive a warm welcome from the members.

**The Speaker:** The hon. Minister of Health and Wellness.

**Ms Evans:** Thank you, Mr. Speaker. What a privilege today to introduce two esteemed members of the Janssen-Ortho group who are with us. Dr. Penny Albright is the vice-president of government and health economics. She's here from Toronto because last evening at our Alberta Institute of Health Economics she, along with the Rt. Hon. Don Mazankowski, presented the first ever Mazankowski fellowship award to Dr. Jeffrey Johnson for his research. She's accompanied today by Mr. Brent Korte of local government relations of Janssen-Ortho. He's a resident of Spruce Grove. Many of us know him. He's been very active in our community and on behalf of his company for the last 13 years. I would ask if they would please rise and all of our members would please acknowledge their presence with us today.

head: **Oral Question Period**

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

### Social Determinants of Health

**Dr. Taft:** Thank you, Mr. Speaker. Under this government the gap between rich and poor in Alberta has grown wider than in any other

province. For example, both Statistics Canada and the TD Bank report that an astonishing 42 per cent of Calgarians over age 15 now live on less than \$20,000 a year. Evidence clearly shows that poverty and income disparity play a huge role in poor health. My question is to the Minister of Health and Wellness. Does this government acknowledge that poverty and income disparity are important factors in contributing to poor health?

**Ms Evans:** Mr. Speaker, there are many social determinants of health, and among them are, obviously, poverty and income disparity. There are a number of other things that relate to literacy and a whole number of things that we could cite. They are part of it but not necessarily exclusively the predeterminants. Many people with poorer incomes in fact do exceptionally well and are not necessarily unhealthy. So it is one of the things that can affect the person but not necessarily a sole determinant of health.

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

**Dr. Taft:** Thank you, Mr. Speaker. Again to the same minister: why is this government pursuing health reforms that include having patients pay out of pocket for better services when those reforms will clearly – clearly – work against the interests of middle and lower income Albertans?

1:40

**Ms Evans:** Well, Mr. Speaker, I'd just like to point out that our Premier has said many times that a person's ability to access health care in Alberta will never be based on their ability to pay. The link that the hon. member is suggesting is that there would not be a capacity for people who need health services to access it when they need it. What we have proposed as policy, which is out there for consultation – I'm listening to Albertans as we speak. We are getting feedback on one of the 10 proposals that talk about choice, talk about access, and talk about that in those circumstances where nonemergent services are necessary for cataracts, for hips, or for knee replacements, there may be an opportunity for people to access those services through private facilities, provided that the public capacity of providing services is not detrimentally affected. That is the premise of that particular policy.

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

**Dr. Taft:** Thank you, Mr. Speaker. Given that the minister of health acknowledged that literacy as well as poverty and income disparity are factors in health determinants, why hasn't this government done any research into the long-term health benefits of ensuring that impoverished children in Alberta get enough food to eat? Why haven't they studied that?

**Ms Evans:** Well, Mr. Speaker, I would be pleased to research on behalf of the hon. member what kinds of studies have been done. But I would suggest from my time in my previous ministry – and many of the other ministers represented here today are no doubt aware of some of the studies that may have been done either regionally or as local initiatives perhaps. We will look into that bibliography and see what is available to provide the hon. member that data.

**The Speaker:** Second Official Opposition main question. The hon. Member for Edmonton-Centre.

### Economic Benefits of Health Services

**Ms Blakeman:** Thank you, Mr. Speaker. It is clear that this government views the health system as a business opportunity, where the pursuit of profit should drive the provision of health care, and it appears that this government is prepared to use health care as an economic development tool by marketing medical centres as sleek and state of the art in order to attract wealthy foreign patients. It's easy to imagine these wealthy medical tourists stepping over homeless Albertans on their way to a procedure. My questions are to the minister of health. How can the minister justify putting public money into training health professionals and building facilities that will be used to treat millionaires flying in from another country?

**Ms Evans:** Mr. Speaker, on page 16 in our framework for health policy we talk about deriving economic benefits from health services and research – it's true – because we recognize that "health care occupies a prominent place in the economic life of Alberta and accounts for roughly one-third of the provincial budget." It goes on further to say that "national and international trade in health technology, drugs and equipment is significant and presents an important opportunity for Alberta industry."

Mr. Speaker, it defines intent and direction, but nowhere does it say anything about sleek buildings and the kinds of references that were made by the hon. member that would appear to in any way undermine what we will provide in health care, the strong public system for Albertans.

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

**Ms Blakeman:** Thank you. My next question is to the Minister of Economic Development. Is the minister creating specialty tour packages to Alberta that include medical treatment?

**Mr. Dunford:** Actually, I hadn't thought about that. I'll take that under advisement, absolutely.

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

**Ms Blakeman:** Thank you, Mr. Speaker. Back to the Minister of Health and Wellness. What steps is the minister going to take to ensure that medical tourists don't push ordinary Albertans to the back of the line?

**Ms Evans:** Well, Mr. Speaker, I think that when we look at medical tourists, we're quite a way down the line, but let me cite something for you that I think is of significance. Our Cancer Board and Dr. Jean-Michel Turc at the Cancer Board anticipate a number of researchers coming from other countries to learn about some of the wise and very innovative approaches we're taking here on cancer research. Ultimately, we have an opportunity not only in Alberta but in other parts of the world, and certainly if the federal government proceeds with the national cancer strategy, to develop some strategies that can make the globe a smaller place for research and development of technology and better treatments. So the primary purpose would be to develop and expand on our capacity in the health care system to do more in the treatment of patients. If there is a byproduct of that in the number of visitors that we attract, as my hon. colleague has referenced, then we'll take a look at it. But the primary goal of research and development will be to ensure that our patients, patients that are suffering from disease, will be taken care of.

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

### Health Benefit Cost to Employers

**Mr. Backs:** Thank you, Mr. Speaker. Universal public health care is clearly part of the Alberta advantage, but even now supplemental health benefits for employees have grown to \$2,000 to \$4,000 per year. Private health care will quadruple that or more. Labour will demand coverage. My question is to the Minister of Human Resources and Employment. What estimates has the government made of payroll costs to employers of its third-way health reforms?

**Mr. Cardinal:** Well, Mr. Speaker, that's a reasonable question. Under my department, under Alberta Works we have programs that do support people to get back into the workforce. At one time there were no health benefits for any of our caseload, and this good government made changes in the policy, and now we do have coverage. I think we have over 140,000 individuals . . .

**An Hon. Member:** How much?

**Mr. Cardinal:** Over 140,000 individuals are being subsidized. The good part about that is that these people are not on social assistance. These people are all working and getting the subsidy.

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

**Mr. Backs:** Thank you, Mr. Speaker. That question wasn't about people on assistance.

A second question to the same minister: what estimates has the government made of costs to the public payroll in Alberta of its third-way reforms to public health care?

**Mr. Cardinal:** Mr. Speaker, I don't have that information here today with me, but I'd be willing to provide it to you, hon. member.

**Mr. Backs:** A supplementary to the Minister of Economic Development. Other than for private health providers has the Economic Development department investigated the effect on external investment in Alberta as a result of the increased privatization of health care?

**Mr. Dunford:** Well, this is one thing that we actually have been looking at. One should think of health as a holistic system. Of course, we've had questions earlier today about the impact of income and that sort of thing on health, but why would there be any reason, when we have such a dynamic health system as we have in Alberta – and as a matter of fact, admitted by the opposition today, it's one of Alberta's advantages. – why wouldn't we try to investigate the possible advantages of all of that?

We've put a SuperNet into place by the way, and while our pharmaceutical companies are here in the audience, I'd ask them to take a look at Alberta. Now, we might not be as advantageous from a manufacturing standpoint, but when you have three million people that have access to a SuperNet, why could we not have clinical studies here in Alberta with its tremendous range, then, of environments, tremendous range of people? Why can't we do that?

**The Speaker:** The hon. leader of the third party, followed by the hon. Member for Calgary-Shaw.

### Health Care Reform

**Mr. Mason:** Thank you very much, Mr. Speaker. Yesterday I attended a session of the Health Boards Conference and listened to the minister's speech to the delegates there. I spoke with a number of them afterwards, and I have to say that there was widespread concern about the government's proposals and confusion about what the government is actually proposing. To the Minister of Health and Wellness: if the government's own health board members, which they appointed, are concerned and confused, what steps is the government going to take to clarify its proposals and provide clear information to the Marthas and Henrys of this province?

1:50

**Ms Evans:** Well, Mr. Speaker, it was a pleasure to be among the health boards and to see almost 26 of the colleagues from all sides of the House visiting and discussing various topics with the health board members. I had the opportunity to address a couple of the policies in our health policy framework and explain the rationale of why we would, in fact, try to embark on other ways to provide access and sustainability.

Mr. Speaker, at this time I think that the document speaks for itself in the policy context of what we want to provide Albertans. We're looking forward to gathering the input from Albertans. At such time that we would be prepared to table a proposal, we will provide the rationale and address more of the comments. In response to different groups like the Alberta Medical Association and others that are raising those questions, we will provide them comments as they come in as well.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. The minister yesterday challenged the board members to think outside the box. I want to ask the minister if she's prepared to think outside the box and commit here that if the government can find a way to meet its objectives through improving and innovating strictly within the public system that we now have, she will do that before she heads down the road of more private delivery?

**Ms Evans:** Mr. Speaker, I think the minister of health at any time in our government should always be prepared to think outside the box and bring forward creative solutions to renew and improve health. Regardless of what we look at in the changes that might be implicit in new policy, we should keep trying to do the things we've done with the hip and knee replacement and many of the other kinds of innovative approaches that Alberta has become leaders and famous for. We will always work on that context.

What we're also attempting to do is look even further beyond the horizon to see what we can advance that might in fact allow more flexibility and options for Albertans as we proceed along the way and not just be stuck with the status quo without trying to push the envelope on other access proposals that could be available for our consideration.

**Mr. Mason:** Mr. Speaker, will the minister commit to trying to improve the health care system within the public context that now exists before proceeding with privatization? Yes or no.

**Ms Evans:** Mr. Speaker, I will always try to proceed with improving the public health care system, but that does not close the door or, in my view, provide a barrier to looking beyond that and looking, like

other provinces across this country are doing, to try and find other ways to expand our capacity to deliver strong health to Albertans.

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

#### **Mandatory Testing for Senior Drivers**

**Mrs. Ady:** Thank you, Mr. Speaker. I understand that there is a proposal being considered by government to have mandatory testing for drivers when they reach the age of 75. A number of my constituents are upset that government seems to be singling out seniors by requiring them to redo their driving test just because of their age. My questions are for the Minister of Infrastructure and Transportation. Why do you seem to be targeting seniors when there are other drivers out there that are causing more traffic collisions?

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

**Dr. Oberg:** Thank you very much, Mr. Speaker. I would just say at the outset that these recommendations were brought forward from the McDermid report, which was a report on traffic safety in Alberta. I really must clarify some of the misunderstanding that is out there. We are not talking about a driver's test. We are talking about a medical test. Currently every person who is 75 does need to have a medical test when they hit 75 and then again at 80 and then every two years after that.

Mr. Speaker, what the McDermid report actually suggested is that, starting with 75, the seniors have a medical examination every two years following that. That is one of the recommendations that is going to be debated in this particular report.

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

**Mrs. Ady:** Thank you, Mr. Speaker. My first supplemental is to the same minister. Why are you only looking at seniors rather than drivers with known medical conditions?

**Dr. Oberg:** Mr. Speaker, first of all, we're not. Quite simply, when a medical doctor relays information that a person has a specific medical condition, each particular condition is subsequently analyzed and determined to have specific medical examinations at certain periods of time. For example, a diabetic has to have a medical examination at a certain period of time. All of these are very consistent with what is occurring now. What I really must stress and stress again, is that we're talking about drivers' examinations, about driver tests. We're simply talking about the medical examinations that are there.

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

**Mrs. Ady:** Thank you. My final supplemental is to the same minister. Will the minister assure this Assembly that there will be some form of consultation before any changes are made?

**Dr. Oberg:** Yeah, Mr. Speaker, absolutely. One of the things that I've stated about the McDermid report is that there are several recommendations from there that are quite controversial. Quite simply, this is one of the controversial recommendations; there are several others that are in the report. We are planning a full set of consultations in the next couple of months to determine what

Albertans think about these particular recommendations, such as photo radar at traffic lights. All of these things were in the actual recommendations. I feel that we should not simply get a report and put it on a shelf, so we must ask Albertans what they feel about these recommendations. Consequently, that's what will be occurring over the next couple months.

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

#### **Alberta/Montana Electricity Transmission Line**

**Mr. MacDonald:** Thank you, Mr. Speaker. Electricity deregulation continues to cost Alberta consumers more and more, and now we find out that there is confusion, more and more confusion, in the Department of Energy over their transmission policy. Now, this department has failed to provide to consumers of this province a cost-benefit analysis detailing the benefit to consumers in this province of increased electricity exports through the Alberta/Montana tie-line. My first question is to the Minister of Energy. How much, if anything, will Alberta consumers save on their monthly power bills if the Alberta/Montana tie-line is completed?

**Mr. Melchin:** Mr. Speaker, the one reason we keep talking about why transmission is so vital is that it is the highway to how we get electricity from any two points. We all want electricity. We need those highways built. The greater interconnectivity we have, the greater reliability we have. If any one line goes down, if any one generator goes down, you have more options, both for import, export and otherwise. So it's too artificial to say that it's a simple calculation. We could save substantial money by having greater reliability.

**Mr. MacDonald:** Again, Mr. Speaker, to the same minister. That's an expensive highway. Why is this Alberta government allowing increased electricity exports through the Alberta/Montana tie-line when your own department – your own department – states that Alberta will need anywhere between 6,000 and 13,000 megawatts of new electricity coming online in the next 20 years? Where is the benefit to consumers?

**Mr. Melchin:** Mr. Speaker, first off, the transmission line for the Alberta/Montana tie-line is a private sector merchant line that's not being borne by or added to the cost to Albertans. It was actually a private sector initiative of their own accord. So it won't be on the backs of Albertans even for that line. However, it is in Albertans' interests to ensure that we have transmission built for our own needs and for our own purposes. We have a tie-line between Alberta/B.C. That has helped us substantively over the years. Having that greater interconnectivity will benefit Albertans to provide a more stable, reliable outcome for all Albertans.

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

**Mr. MacDonald:** Thank you, Mr. Speaker. Again to the same minister: talking about the interests of Albertans, why is this government putting the interests of electricity exporters before the interests of Alberta consumers?

**Mr. Melchin:** Mr. Speaker, it is about and we are developing that policy in the primary and sole interests of Albertans. It is for us to

ensure that we have – we already have lower nonhydro electricity costs than anywhere else. We have an excess of generation today. Find other jurisdictions in the country that don't have a tightness of supply. The other jurisdictions do. Even their rates are higher than what we're facing, in particular if you mention Saskatchewan.

**The Speaker:** The hon. Member for Calgary-Fort, followed by the hon. Member for Edmonton-Rutherford.

### Digital Library Projects

**Mr. Cao:** Thank you, Mr. Speaker. In the throne speech of 2005 our government stated: to create 15,000 new student spaces in the following three years and support the development of the Alberta digital library as a responsive public institution in the fastest growing area in Calgary. The University of Calgary worked hard in this government direction with four major projects, one of them is the digital library. So these are world-leading initiatives to increase enrolment for about 7,000 students in the next few years. My question today is to the Minister of Advanced Education. Can the minister update the Assembly on the progress of the digital library project?

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

**Mr. Hancock:** Thank you, Mr. Speaker. The throne speech last year used as one of the examples of the types of projects which could be supported by the access to the future fund the Lois Hole Campus Alberta digital library. The Lois Hole Campus Alberta digital library is a project which came out of, as the member rightly says, a project at the University of Calgary, a Campus Calgary project, where they were creating a digital library for the Calgary area. Of course, once it's digitized, it's available online and can be available to students right across the province. We took that as an opportunity to expand across the province with a digital library, which will give access to academic resources to students right across this province.

The Alberta Library Board has taken on that project, and Dr. Frits Pannekoek, who's now the president of the University of Athabasca but at that time was at the University of Calgary as their chief librarian, is very actively involved in it. We have business plans coming, and the project is coming along very well.

2:00

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

**Mr. Cao:** Thank you, Mr. Speaker. To the same hon. minister: given that the digital library in Calgary is a partnership with many institutions, such as Mount Royal College, Bow Valley College, Alberta College of Art and Design, SAIT, and also the Red Crow College on the Blood reserve, with over a hundred thousand learners, what action does the minister take to help to facilitate such excellent collaboration among our institutions in Alberta?

**Mr. Hancock:** Well, Mr. Speaker, there are two projects that we should be clear on. One is the Lois Hole Campus Alberta digital library, which was announced in the Speech from the Throne as being supported out of the access to the future fund. Then, building on, the second project is the University of Calgary's digital library project, which they initiated in collaboration with the colleges and the institutions which the hon. member mentioned. We're working on both of those projects. We're working with the Lois Hole

Campus Alberta digital library project to make sure that those digitized resources, both print and three-dimensional resources, are available to students across the province.

One of the interesting things about the Campus Calgary one is the tie-in to Red Crow College. It shows the power of being able to add other institutions, some of which are not even within our jurisdiction, to the process and provide those academic resources more broadly.

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

**Mr. Cao:** Thank you, Mr. Speaker. To the same minister: when do you expect this digital library to start and complete helping modernize our education into the modern age?

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

**Mr. Hancock:** Thank you, Mr. Speaker. Well, the digital library project is well under way. Many of the institutions are already digitizing resources. Many of the institutions have library licensing. The project board has put together a business plan. So that project is well under way.

The hon. member should also be aware that the University of Calgary has as one of their priorities a digital library, and what that is, as distinct from the Campus Alberta digital library, is a building which will house their digital library centre: their digitizing resources, their computer resources as well as their library resources. That project would actually bring in library resources from across the campus and free up space for them. I know that the University of Calgary is eager to proceed with that specific building project as well as participating in the cross-Alberta Campus Alberta digital library project.

**The Speaker:** The hon. Member for Edmonton-Rutherford, followed by the hon. Member for Calgary-Bow.

### Teachers' Unfunded Pension Liability

**Mr. R. Miller:** Thank you very much, Mr. Speaker. I first asked this government to deal with the unfunded teachers' pension liability on May 11, 2005. It's almost a year later and still no action. My question is for the Minister of Education. When will this minister get off the fence and finally make a decision about the teachers' unfunded pension liability?

**Mr. Zwozdesky:** Mr. Speaker, pursuant to an agreement from 1992-93 the unfunded pension liability is contributed to with a responsibility by government to the tune of two-thirds and teachers to the tune of one-third. So there is an agreement already in place that addresses the unfunded pension liability. From the '92-93 period going forward, the contributions are roughly 50-50. It is a serious issue. I have acknowledged that here, and I've acknowledged it out there. It's a very complicated scenario, and it's not an easy one to work our way through.

Secondly, there are a number of other unfunded pension liabilities that we also have to consider, and it's difficult to do one and not look at the others. So we're trying to look at a variety of issues here.

The bottom line, Mr. Speaker, is that I'm concerned, as I'm sure the hon. questioner is, with the impact of the unfunded pension liability on teacher retention and on teacher recruitment, and that's why we've undertaken to try and address this issue.

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

**Mr. R. Miller:** Thank you, Mr. Speaker. To the same minister: how much has the unfunded liability grown while Alberta taxpayers have waited nearly a year for this minister to do something?

**Mr. Zwozdesky:** Mr. Speaker, the current unfunded pension liability for teachers stands at just over \$6 billion, if my memory serves correctly. Government assumes responsibility for about \$4 billion of it; teachers are responsible for about \$2 billion of it. Our contribution, which is built into my budget in Education, at the moment stands at around \$140 million or \$145 million per year for the unfunded pension portion only. Our total contribution to the teachers' pension, both unfunded and current, is more in the line of over \$300 million per year.

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

**Mr. R. Miller:** Thank you, Mr. Speaker. A curriculum question for the Education minister: at what grade level do Alberta students learn about the effects of compound interest?

**Mr. Zwozdesky:** Well, let me see. I learned about it in grade 8. I'd have to look it up and see if that's in the pure math curriculum or the applied math curriculum. Sure enough, it's addressed somewhere, as I recall, in the junior high school years. I'll verify that for the hon. member.

Thank you.

**The Speaker:** The hon. Member for Calgary-Bow, followed by the hon. Member for Calgary-Varsity.

#### Funding for the University of Calgary

**Ms DeLong:** Thank you very much, Mr. Speaker. To the Minister of Advanced Education: is it the Advanced Education department's policy to encourage only one world-class university in Alberta?

**Mr. Hancock:** Mr. Speaker, our government and all Albertans can be proud of the fact that we have four very fine universities in this province. Each one is world class in specific areas. Athabasca University is well renowned around the world as a leading open university. It has international accreditation. It's known in all parts of the world for being one of the world-class open universities. The University of Lethbridge has top-notch water research and will soon be, if it's not now, leading edge in the world. The University of Alberta is a leader in medical research, dentistry, pharmacy, and many other areas. It has a nanotechnology facility. The University of Calgary is a leader in social work, architecture, and many other areas and will soon be a world leader in the new ways of teaching veterinary medicine.

So, Mr. Speaker, we have four great universities. The University of Alberta's new president has said that it should be in the top 20 in the world by 2020. I think that's something that we should aspire to. I think all four universities, in fact all of our public education institutions, should aspire to be world class. Indeed, we want to have a world-class system, and we do.

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

**Ms DeLong:** Thank you very much, Mr. Speaker. To the same minister: why is the per-student grant approximately a thousand

dollars less for U of C students in spite of there being a more expensive mix of programs at the U of C?

**Mr. Hancock:** Well, Mr. Speaker, the hon. member's premise is not correct in that there's a more expensive mix of programs at the U of C. In fact, if you take the grant and divide it by the number of students, you will get the wrong answer. That's what's happened here. If you did that, you would show \$1,000 per student more at the U of A than the U of C.

However, what's important is that we don't fund based strictly on the number of students. We fund on a base level funding based on the buildings, based on the number of students in specific programs. In fact, there are a number of different programs with different levels of expenses, and those account for the majority of the difference in the funding levels.

Now, on a periodic basis we do readjust the funding levels to ensure that there's continuing equity. That's done every five years, and we're in the process of doing that now.

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

**Ms DeLong:** Thank you very much. Again to the Minister of Advanced Education: would the minister be willing to meet with the Calgary caucus together with representatives of the University of Calgary to resolve this issue?

**Mr. Hancock:** The hon. member is aware, I think, that we have a meeting on Thursday to talk about the discrepancy that she's talking about, that I meet on a regular basis with the presidents of all the institutions, both singly and together, and that I'm always interested in talking about it. She also should be aware that the president of the University of Calgary is on what we call the systems transformation subcommittee that came out of the Learning Alberta forum, so he's ideally positioned at the centre of the discussion about how we deal with the funding formula not just for the universities and colleges but also the funding formula process with respect to affordability for students and the roles and mandates for institutions in the province. The president of the University of Calgary is at the centre of the discussions. I have ongoing discussions with him individually. I'm meeting with the presidents of all the institutions in Calgary later on this month on Campus Calgary, and I'm meeting with Calgary caucus on the issue.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Edmonton-Beverly-Clareview.

#### 2:10 New School Construction in Calgary

**Mr. Chase:** Thank you, Mr. Speaker. The contradiction which exists between the ministry of learning's space utilization formula and its implementation of the Learning Commission's reduced class size initiative is causing older schools to be unnecessarily closed and the very few new schools opened to be built much smaller than their community's student population requires. My questions are to the minister of learning. If class sizes for divisions 1 and 2 are mandated to be under 23 students, why does the current space utilization formula still measure classroom space as being able to accommodate 30-plus students?

**Mr. Zwozdesky:** I don't recall if that's the exact case or not, just off the top of my head, Mr. Speaker, but I can tell you that the

Commission on Learning made some recommendations with respect to class size and indicated that the K to 3 level on a jurisdiction-wide basis should strive for 17 students per classroom. Grades 4, 5, and 6 would be 23; grades 7, 8, and 9 would be 25; and the high school would be, of course, 27. They said that we should try and get to that rate within about five years. Now, we've accelerated that. In fact, for all of the grades from, I think, grade 4 to grade 12 the majority of our school boards by far are already at the recommended guidelines within a two and a half year window of time or they've bettered themselves than what was recommended. So regardless of which formula the hon. member might want to look at, we are making tremendously positive progress toward meeting those expectations.

**Mr. Chase:** Well, I'm sure Mr. Dirks would be pleased to hear that.

My second question for the Minister of Education: how much longer will the Calgary public and separate school boards, tens of thousands of parents, and their students have to wait for the combined 62 missing community schools, 40 public and 22 separate, to be built?

**Mr. Zwozdesky:** Mr. Speaker, we've opened or are scheduled to open a number of brand new schools in Calgary even in this year. I can tell you that in Calgary-Foothills we have a new K to 4 school under construction for \$6.6 million that will open in October of '06. We have a K to 4 core school, Chaparral elementary in Calgary-Shaw. That will open in October '06. That's \$6.1 million. There's a new school called Douglasdale/Glen elementary in Calgary-Hays. That will open in the spring, very shortly, \$5.2 million. The list goes on, and that's just on the public side. I have a list on the Catholic side that I could read off as well. So the infrastructure issues are getting addressed.

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

**Mr. Chase:** Thank you. My last question to the Minister of Education: why should a third of Calgary public students and an even larger proportion of Calgary Catholic students have to ride the bus when for the same amount of money wasted on bus fees several new schools could be built each year?

**Mr. Zwozdesky:** Mr. Speaker, the issue of transportation ride times is obviously a local issue. Transportation funding is obviously a joint issue between the province and the local school board. When I met with all of these school boards in the fall, in fact, I had put this issue on the agenda. There is a review of our renewed funding framework going on right now. I'll expect those results very soon, and then we'll try and make whatever improvements are necessary there. But the fundamental thing here going forward is to take a closer look at building schools where the population exists, quite obviously, and that will cut down on some of the ride times and on some of the busing costs. On the other hand, we do have a number of good, old schools that are still quite functional.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by the hon. Member for Dunvegan-Central Peace.

#### Social Assistance

**Mr. Martin:** Thank you, Mr. Speaker. At the appropriate time I will table a report from the Winspear fund that makes for sobering and sad reading. In the past year the Winspear fund in Edmonton

has assisted 148 individuals and families whose basic needs for food, shelter, and clothing are going unmet due to the inadequacy of government income support programs. Over 60 per cent of this emergency funding went to families with children. My question is to the Minister of Human Resources and Employment. How does the minister justify that in a rich province like Alberta the most vulnerable citizens are having to turn to agencies like the Winspear fund to help them overcome desperate situations?

**Mr. Cardinal:** Yes, Mr. Speaker, no one should be in that situation in Alberta. I agree with you fully. Our government, of course, is definitely working on programs to provide additional services for those people who are caught in that unfortunate situation. We do help also with daycare assistance and other school supports.

**Mr. Martin:** Well, Mr. Speaker, the reality is that the Winspear fund, along with other agencies, is having to do the government's work. My question is again to the minister. When is the minister going to do something about it so that these people don't continue to fall through the cracks?

**Mr. Cardinal:** Well, Mr. Speaker, I ask the member to provide the information he has, and I'm willing to sit down and go through the package.

**Mr. Martin:** Mr. Speaker, I said that I would table this information.

My final question, then, is to the minister. He does have control. When can the people in Alberta Works expect to receive a long-overdue and substantial – and I stress substantial – increase in their monthly benefit levels?

**Mr. Cardinal:** Mr. Speaker, this is an area I've been working on for the last six, eight months or so. Of course, it's a matter of time. Soon things will change.

**The Speaker:** The hon. Member for Dunvegan-Central Peace, followed by the hon. Member for St. Albert.

#### Traffic Safety Pilot Project

**Mr. Goudreau:** Thank you, Mr. Speaker. The Solicitor General and Minister of Public Security recently announced a six-month pilot project that puts sheriffs on highways 21 and 63 to perform traffic safety patrols with RCMP officers. This project has raised a number of questions about enforcement and safety on Alberta's highways. My questions are for the Solicitor General and Minister of Public Security. Why is there a need for a traffic safety pilot project on these highways?

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

**Mr. Cenaiko:** Thank you very much, Mr. Speaker. As the hon. Minister of Infrastructure and Transportation mentioned earlier, the McDermid report had nine recommendations regarding traffic safety in the province, the vision 2010, that we want to look at, reducing somewhat the 25,000 injuries and the 400 deaths per year on Alberta's highways.

Our department is looking at all options, Mr. Speaker, whether the new policing service delivery model regarding how we can enhance our services on these highways as well as ensuring that the police officers who are multiskilled in criminal investigations can remain

doing just that: investigating criminal activity and responding to emergencies.

Mr. Speaker, this pilot project allowed us to train 10 sheriffs that have extensive training in both traffic investigation and traffic enforcement. During this pilot project we are stressing these two highways, 21 and 63, regarding the high number of fatalities and collisions that are on those highways. Obviously, there's a need for other highways as well, most recently highway 19 between highways 2 and 21. There were two recent fatalities on that stretch of road, that the hon. Member for Leduc-Beaumont-Devon was speaking to me about.

Thank you.

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

**Mr. Goudreau:** Thanks, Mr. Speaker. To the same minister. You said that these officers are trained in traffic safety. What happens if they come across crimes such as impaired driving or drug infractions?

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

**Mr. Cenaiko:** Thank you, Mr. Speaker. This pilot project is in conjunction with the RCMP. It's an opportunity for both the sheriffs' office and the RCMP to work together and complement each other from that enforcement aspect of the traffic investigation. If, for example, a traffic officer, or sheriff, came upon an impaired driver, he has the authority under the Criminal Code to arrest that individual, but he would then turn that individual over to the RCMP for the criminal investigation regarding that offence.

2:20

**Mr. Goudreau:** Mr. Speaker, to the same minister again: how and when will we know if this pilot is an effective way to address traffic safety?

**Mr. Cenaiko:** Mr. Speaker, the ultimate goal of the pilot project is obviously to see a reduction in the number of injuries and a reduction in the number of fatalities that we have in the province. If we can save one or two lives even, that's going to show that we can have an impact through education, through enforcement, and through personal contact between an officer and a violator. Obviously, with an increase in enforcement comes a heightened level of awareness and education for drivers, who ultimately have the responsibility to drive safely.

**The Speaker:** The hon. Member for St. Albert, followed by the hon. Member for Banff-Cochrane.

### Collective Bargaining for Teachers

**Mr. Flaherty:** Thank you, Mr. Speaker. School boards, teachers, and parents continue to wait while children pay the price for the policy gridlock in the Education minister's office. He is keeping important information under wraps and is blaming teachers, boards, and parents, in fact almost anybody, for the inability to get the job done. My question to the Minister of Education: how will boards negotiate contracts with the ATA in May of this year? Is an e-mail your only solution to the problem, sir?

**Mr. Zwozdesky:** Mr. Speaker, no one on this side of the House in the government caucus has been blaming anyone. There has been a

little bit of blame from the opposition toward some of the teaching profession unfortunately, but I can tell you that as shameful as that is, we on this side value the parents and the teachers and the children who are in our education system. The issue of negotiating is being done at the local level right now. There is a recommendation in the Learning Commission to try and change that and move to a new model, and we have been looking at that and trying to see what the impact of it might be, but there's not exactly unanimity amongst school boards on that proposal either. It's a difficult issue, but it is one that we are continuing to look at and review.

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

**Mr. Flaherty:** Thank you, Mr. Speaker. Why is the minister blaming his inability to make a decision on a bargaining model for Alberta on disagreements between school boards? Does he feel it is not his job to resolve this very, very important issue?

**Mr. Zwozdesky:** Mr. Speaker, I want to emphasize this again: nobody is blaming anyone, and no one is blaming anything, other than perhaps the Education critic on the other side. What we have here is a long-standing tradition of local bargaining, which some school boards are willing to part with, some are not willing to part with. But I will be meeting with all the school board chairs on March 24, and this is one of many issues on our agenda at that time.

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

**Mr. Flaherty:** Well, thank you, Mr. Speaker. Principals continue to wonder: are they in or are they out of the ATA? How long will we wait, or does he not feel it is his job to resolve this very important issue? Is it indecisiveness? Can he make a decision?

**Mr. Zwozdesky:** Mr. Speaker, if the question is, "Are principals in or are they out?" clearly at the moment they're in. That's a no-brainer. They're in the ATA. The recommendation that the hon. member is referring to was pursued with a study last year. That report came to me a few months ago. We've been looking at it. We've been looking at the impact of it, and it's not quite as simple as I think some people in the opposition try to make this issue sound.

For example, there are a number of principals who also teach. Now, if there were a consideration given to removing principals from the ATA, that would de facto mean that they could no longer teach. So a teacher would have to be hired to come in and take over where that principal left off. There is a financial implication there. There is a teacher supply issue as well that exists there. Of course, there would be some issues pertaining to infrastructure. Yes, it does have some complications to it, but that, too, remains one of those issues that has required some additional review, and that's exactly what we're doing.

### Alberta at the Smithsonian

**Mrs. Tarchuk:** Mr. Speaker, in March 2005 the government of Alberta and the Smithsonian Institution in Washington signed an historical agreement for our province to take part in the internationally renowned Folklife Festival in Washington, DC. Not only does this appear to be a great venue to showcase our province, but I understand that the festival is proven to stimulate economic opportunity, boost marketing, tourism, trade, government relations, and public relations. My first question is to the Minister of International and Intergovernmental Relations. Can the minister



please provide an update and advise the Legislative Assembly on where we are in planning for Alberta's participation in this festival?

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

**Mr. Stelmach:** Well, thank you, Mr. Speaker. It is truly an honour that the Smithsonian has honoured this province, Alberta, to take part in the Folklife Festival that will be held in Washington between the dates of June 30 and July 11. What is so exciting is that we are the first ever Canadian jurisdiction to be represented at the Smithsonian. This will give us an opportunity to showcase our culture, our folklife before over a million visitors in Washington mall, another 12 million that will take part looking at various websites and periodicals and tourism journals. The plan is going ahead. We will be making a formal announcement at the end of April in terms of the Smithsonian Institute and Alberta at the Smithsonian, and we're very pleased that we were given this opportunity.

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

**Mrs. Tarchuk:** Thank you, Mr. Speaker. My first supplementary question is to the Minister of Community Development. Given that Alberta has 3.3 million people from all different backgrounds, cultures, and workplaces, can the minister tell us how he selected 150 representatives to fully demonstrate our diversity, economy, and way of life to our American neighbours in Washington, DC?

**Mr. Mar:** Mr. Speaker, I don't need to remind you or members of this House that this province has an incredibly wide and diverse cultural, occupational, and living history, and no doubt it is a great challenge to find 150 people to represent this. But this is exactly the goal and the goal of the Smithsonian Institution, to present a cross-section of Alberta life on the Washington mall.

There has been a curator from the Smithsonian, Dr. Nancy Groce, who has travelled tens of thousands of kilometres, spent a great deal of time here in Alberta with staff from Alberta Community Development to come to have an understanding about the history and the contemporary identity of Alberta. Through this curatorial process the Smithsonian has actually decided, of course in consultation with officials from Community Development, as to which aspects of Alberta life to include. So, as referred to by my hon. colleague, the minister of intergovernmental affairs, at the end of April we will have an announcement to make with respect to the specific displays, the exhibits, and the artists that will be representing and making up Alberta at the Smithsonian.

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

**Mrs. Tarchuk:** Thank you, Mr. Speaker. My final supplemental question is to the Minister of International and Intergovernmental Relations. Can you advise us whether there are other activities planned in Washington to go along with the Folklife Festival to focus additional attention on Alberta?

**Mr. Stelmach:** Yes, Mr. Speaker, I'm glad to cover a couple of plans for the Smithsonian. One, of course, is the unveiling of the website, Alberta at the Smithsonian, which will be very important. But most important will be Alberta week at the Smithsonian. This will be some social events and a number of economic forums. We're also pleased that the city of Calgary and the city of Edmonton and a number of private-sector companies will be participating the week before. Why it's so important is that the House will rise that

particular last week of June, and we'll have all of the decision-makers, the elected representatives, and very senior policy decision-makers visiting Alberta at the Smithsonian that particular week, and we will be able to convey to them how important our Alberta/U.S. relations are.

**The Speaker:** Hon. members, that was a very significant 84 questions and answers in a 50-minute question period.

### Vignettes from the Assembly's History

**The Speaker:** Our historical vignette today begins with a quote, and I refer you to *Alberta Hansard*, March 8, 1976. The following words were spoken.

We of the commonwealth of nations are justifiably proud of the system we've inherited: a symbolic head of state in the Crown which continues on forever and is not subject to the whims of parties in power, elected parliaments, appointed judges who then become unassailable by the politicians, courts of appeal, civic rights, and a vast body of law.

2:30

These words were given by Roy Alexander Farran, who was born January 2, 1921, in England and spent his youth in India. A major in the British army he retired in 1948. He is probably the most decorated man to have served in the Alberta Legislature. Military honours bestowed upon Mr. Farran include the Croix d'Officier de la Légion d'Honneur, the British Distinguished Service Order, the Military Cross, the French Croix de Guerre, the U.S. Legion of Merit, the Italian gold medal, and the Greek War medal.

Mr. Farran arrived in Alberta post World War II, already an accomplished fiction and nonfiction writer. He arrived here to work with the *Calgary Herald* and to establish the *North Hill News* as owner and publisher. He was an alderman for the city of Calgary from 1961 to 1971. He was first elected to the Legislative Assembly of Alberta in 1971 for Calgary-North Hill as a Progressive Conservative and was re-elected in 1975. Mr. Farran was the Minister of Telephones and Utilities from 1973 to 1975 and Solicitor General from 1975 to 1979. He is the author of seven books, including the classic *Winged Dagger: Adventures on Special Service*, published by Collins in London in 1948. Roy Farran currently lives in retirement in Calgary, Alberta.

Might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**  
(reversion)

**Ms Evans:** Mr. Speaker, I have never had the privilege before of introducing members of my family. This afternoon, quite unexpectedly, my youngest grandson, Ryan, who was the winner, number 1, at his school in a science fair project, and his father, Darren, an enthusiastic golf pro and parent, are present. Darren Evans and Ryan are from Barrie, Ontario. If they would both please rise.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly a very special class that's attending NorQuest College in my constituency. This is an employment program, including job opportunities for building success, and also a transitional vocational

program. We have 16 students joining us along with their instructor, Ms Judy Dobbs. I would ask them all to please rise and accept the warm welcome of the Assembly.

head: **Members' Statements**

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

#### **New Acme Community Centre**

**Mr. Marz:** Thank you, Mr. Speaker. This past weekend marked the second anniversary of a devastating fire in the village of Acme, a fire that consumed their community centre, the Acme Memorial Hall, which was built in 1959 and had just undergone numerous renovations. Needless to say, this was quite a shock and a loss to the community.

However, this past weekend also marked the grand opening of a new, modern Acme community centre built on the exact same site as the old one for a cost of \$1,850,000. Due to the hard work and determination and perseverance of everyone involved, only \$20,000 of that \$1,850,000 remains unpaid. Insurance coverage made up just over \$1 million, with the remaining \$824,000 of the cost being raised through fundraisers, private and corporate donations, and grants, all in two short years. This facility will serve Acme and district as well as central Alberta very well for many years to come.

The people of Acme and district are a shining example of the determination and hard work that's required to overcome adversity and challenges in building a great community and a great province. I'd ask all members of the Assembly to join me in congratulating Acme and the residents of the district on a great job well done.

**The Speaker:** The hon. Member for Red Deer-North.

#### **Red Deer College Kings Volleyball Team**

**Mrs. Jablonski:** Thank you, Mr. Speaker. It's an honour for me to stand in the Legislature of Alberta once again to recognize the continuing dynasty of the Red Deer College Kings volleyball team. For the seventh consecutive year the Red Deer College Kings men's team have been crowned national champions at the Canadian men's volleyball championship in Quebec City. This winning streak gives the College Kings the record for the most consecutive victories in Canada, moving them past their closest competitors, the Limoilou college Titans of Quebec City, who previously held these bragging rights with six consecutive victories.

This was not an easy championship. Coming within a whisker of losing the biggest game of all, the Canadian colleges' men's volleyball final, the Kings battled their worthy opponents from Quebec City, who were outstanding before a hometown crowd that had the house rocking with the beat of drums and noisemakers that never stopped. Using their experience and skill along with the exceptional direction of their dynastic coach, Keith Hansen, the team stepped up at the most critical time to win the championship. The King's captain, Joey Martins, and Graham Hetherington, a third-year player, were both named to the second all-star team.

Mr. Speaker, I'd ask the Members of this Legislative Assembly to join me in congratulating players Pierre Rocque, Aaron Yasinski, Kris Inglis, Gilles Plouffe, Andrew Reed, Peter (Andy) Shaw, Chaim Schalk, Andrew Tallas, Jason Waddell, Cody Lockhart, Doug Gilbertson, Tim Gourlay, and Joey Martins along with head coach Keith Hansen, assistant coaches Bob Rutz and Adam Roth, athletic

therapist Heather Fletcher, student trainer Cole Dziatkewich, and video champ Lee Tipman.

Thank you very much.

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

#### **Commonwealth Day**

**Mr. Agnihotri:** Thank you, Mr. Speaker. Yesterday we recognized Commonwealth Day. The Commonwealth is home to more than 1.8 billion people in 53 countries, rich and poor, small and large, spread across every continent and ocean in the world. The dynamic and vibrant network of partnerships that exists among its people gives the Commonwealth its unique stand in promoting peace, democracy, development, and co-operation.

Development is about people, their quality of life, the choices available to them as they strive to reach their full potential. It's about finding new ways to provide adequate food, shelter, clothing, education, health care, jobs, transport, safe living conditions, good government, and a stable economy. We see many parts of our world in need of critical care and observe that as a partner we share a special responsibility to alleviate poverty and disease and provide access to education and essential health care services in need.

Working in partnership is essential between the nations of this earth, whether they are developed or developing. This is how we build a better, more secure, more sustainable world. Only together can we achieve an open and democratic society. Together we will be able to recognize that we all share a common humanity regardless of who we are and where we come from.

I congratulate all 53 Commonwealth nations on this very special day. Thank you.

**The Speaker:** The hon. Member for Grande Prairie-Smoky.

#### **Team Thomas World Junior Curlers**

**Mr. Knight:** Thank you, Mr. Speaker. Again it's a pleasure for me to rise and recognize the fact that although my colleague from Red Deer-North has indicated that central Alberta has some good athletes, Alberta's northwest has great athletes. I want to speak about some of them, particularly some of the athletes from the Grande Prairie region, on behalf of myself and my colleague from Grande Prairie-Wapiti and all of our constituents.

Last week I mentioned two world-class events that came to our region, attracting world-class competitors. This time, Mr. Speaker, we applaud four young men from the Grande Prairie Curling Club who are provincial and national junior curling champions. The foursome – skip Charley Thomas, third Geoff Walker, second Rollie Robinson, and lead Kyle Reynolds – is representing Canada at the world junior curling championships in Jeonju, South Korea. I understand that at this point Team Canada has a 4 and 0 record. We not only welcome the world to Alberta's beautiful Peace Country, but we also send world-class athletes to represent Canada around the world. Again, that can-do attitude.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Castle Downs.

#### **2:40 U of A Pandas Women's Hockey Team**

**Mr. Lukaszuk:** Thank you, Mr. Speaker. The University of Alberta Pandas hockey team claimed its fifth Canadian Interuniversity Sport

women's championship title in seven years with a 2-1 win over the top-seeded Laurier Golden Hawks in Nova Scotia on Sunday evening. The defensive-minded Pandas, the number 2 tournament seed, fell behind early, just as they did in Saturday's semifinal against St. FX, but this time they rebounded quickly and played an almost flawless system after taking the lead midway through the second period.

Goaltender Aaron Sorochan was named the Canada West Freshman of the Year. She finished the conference playoffs with a perfect 4-0-0, Mr. Speaker.

Nineteen-year-old physical education student Tarin Podloski led all scorers at the nationals with five points to pick up the tournament MVP honours after being named a second team all-Canadian last week. Mr. Speaker, Podloski was named a first team conference all-star in the Canada West during the 2005-06 season after finishing second in the league in scoring with 28 points.

Of note, Rachel Sanders picked up her second team sport gold medal of 2005-06 after helping the field hockey Pandas and Coach Carla Somerville to their first national title in team history last fall. The last CIS player to accomplish the feat was Alberta's Nicole Chapdelaine, who won both women's soccer and hockey in 2001-2002.

Congratulations to the Pandas for continuing the University of Alberta winning tradition.

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

#### Child Care Program

**Dr. Pannu:** Thank you, Mr. Speaker. The Minister of Children's Services recently met with her federal counterpart. I suspect that the federal minister recently heard two very different messages on this issue.

On the one hand, the Premier of Quebec has been strongly advocating for maintaining the agreement reached last year between the federal government and several of the provinces, and no wonder. Quebec's \$7-a-day child care system is the envy of parents across the country. That government understands that investing in early childhood development programs and quality public child care gives children an important head start while providing parents more choices when returning to work.

On the other hand, our own minister likely delivered a more ambiguous message. I say this because she has told Albertans that she is philosophically supportive of the Prime Minister's plan to give parents \$100 per month as a buy-off for cancelling last year's \$5 billion agreement, and that has got Alberta families and child care providers very concerned. Let's be clear, Mr. Speaker. As a taxable benefit \$100 would leave fewer dollars in parents' pockets than promised. The current \$500 per month subsidy for child care spaces, wage increases for child care workers, subsidies for early childhood programs, and programs for kids with disabilities may also be on the chopping block.

The minister must tell Albertans in clear terms what her vision is for child care. She must fight for the dollars won in last year's agreement, must make a categorical public commitment to Alberta parents that they will have affordable access to high-quality, public, nonprofit child care and that she will stand by her five-point plan come hell or high water.

Thank you, Mr. Speaker.

head:

#### Presenting Petitions

**The Speaker:** The hon. Member for Edmonton-Calder on a petition.

**Mr. Eggen:** Thank you, Mr. Speaker. I have a petition with 177 signatures on it. The petition urges the government of Alberta to "eliminate private clinics and private delivery in the health care system, and develop a comprehensive plan to strengthen and extend Medicare." This brings the total number of these signatures to 715.

Thank you very much.

head:

#### Tabling Returns and Reports

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

**Mr. Flaherty:** Thank you, Mr. Speaker. I'm tabling five copies of a letter from Donald Moreau regarding drivers' licensing for seniors with medical problems.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

**Mrs. Mather:** Thank you, Mr. Speaker. I have two tablings. The first that I am pleased to table with the appropriate number of copies is a letter from a constituent, Mr. Fouad Ammar. It states his belief that we should focus on public health care and that private health care is not needed.

The second tabling I have with the appropriate number of copies: six letters that I have received from parents and daycare owners and other citizens voicing concerns about the cancellation of the national daycare program. They are from Liliane Chahmini,\* Min Du, N. Cato, Kim Gravel, Paul Broda, and Chris Kubica.

**The Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Speaker. I rise today to table the appropriate number of copies of letters received from concerned parents, daycare owners and staff, and other concerned citizens voicing concerns with the cancellation of the national daycare program. I'm tabling today from J. St. Onge, Mandy Palmer, Lisa Brandingen, Jim Crook, Alicia Drake, Roberta Keichinger.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Martin:** Thank you, Mr. Speaker. I am tabling the proper number of copies of a report of the 2005 disbursements from the Winspear fund. The fund was designed to be one-time emergency funding for people who are working hard to help themselves but whose social circumstances create a need for financial assistance. Between November 2004 and December 2005 this fund helped out 148 people who otherwise wouldn't have received assistance.

Thank you.

**The Speaker:** The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. I rise today to table the appropriate number of copies of letters received from concerned parents, daycare owners and staff, and other concerned citizens voicing the concerns about the cancellation of the national daycare program. There are four letters from Janet Algar, Teresa Frost, Sharron Glimm, Roxanne Campbell and two letters that are signed by someone that writes like a doctor.

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

**Mr. R. Miller:** Thank you very much, Mr. Speaker. I rise this afternoon to table six further letters regarding the cancellation of the

\*This spelling could not be verified at the time of publication.

national daycare program. The writers today include Jen Smith, Anu Heuser, Ken and Patricia Skawronik, Jannele Martin, Angela Webb, and another doctor.

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

**Mr. Chase:** Thank you very much, Mr. Speaker. I rise again to table the appropriate number of copies of many letters I've received from concerned parents, daycare owners, citizens with regard to the termination of the national daycare program. These letters came from Nicole Zebinski, April Wellington, Laurie Brandle, T. Pickunyk, Natalie Bragg,\* and K. Wack.

Thank you.

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

**Mr. Eggen:** Thank you, Mr. Speaker. I'm tabling e-mails from a Mr. John Hartley, which were sent to many members of the Assembly. Mr. Hartley wonders why Conservative MLAs are so intent on destroying medicare and notes that opposition parties have supplied solid alternatives. [interjections] He's my kind of guy. There should be open consultation on health reform as well.

Thank you.

**The Speaker:** And that, hon. member, is why this Assembly must deal with this whole question of tabling of e-mails one of these days.

The hon. Member for Edmonton-Ellerslie.

**Mr. Agnihotri:** Thank you, Mr. Speaker. I have some more letters about the cancellation of the national daycare program. The letters are from Steve Allan, Vanessa Botuk,\* Melodie Pearson, Rhonda Wendland,\* Joanna Cornisson,\* Julie Pinney-Reeves.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, I know this question because I now get lots more notes from hon. members about this whole question of tablings. A national daycare program falls under federal jurisdiction, not provincial jurisdiction, and unless some of these things are worded to have an impact in Alberta, I think they should be filed in Ottawa rather than here.

head: 2:50

### Orders of the Day

head:

### Government Bills and Orders Second Reading

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

#### Bill 18

#### Wilderness Areas, Ecological Reserves, Natural Areas and Heritage Rangelands Amendment Act, 2006

**Mr. Hancock:** Thank you, Mr. Speaker. It's my privilege to move on behalf of the hon. Mr. Mar Bill 18, the Wilderness Areas, Ecological Reserves, Natural Areas and Heritage Rangelands Amendment Act, 2006.

**The Speaker:** Is the hon. minister proceeding with additional comments?

**Mr. Hancock:** Not at this time.

**The Speaker:** Then the hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much. I'm speaking against Bill 18. This bill isn't about protection; it's about reduction and destruction. It's a feeble attempt to legitimize this government's current laissez-faire attitude through legislation.

To begin with, I'd like to speak about communication, or lack thereof. Last week my researcher, on my behalf, approached the Minister of Community Development requesting a three-column document. The purpose of this request was to get an outline of the intention of the bill. That was not provided. So in an act of desperation and an attempt to follow through with parliamentary procedure, I approached the minister's office at noon today. I was confronted by an individual who obviously went through the Charlebois school of communication in that no documentation was supplied. Of course, the Charlebois school would suggest \$800,000 worth of taxpayer money for no written evidence. This seems to be the way communication is received within this ministry.

**An Hon. Member:** You didn't even get the facts straight. Truly.

**The Speaker:** Okay, okay. The hon. Member for Calgary-Varsity has the floor. We're currently in second reading of a bill. Please proceed.

**Mr. Chase:** Thank you, Mr. Speaker. This past summer, in an attempt to do my job as critic, I sent out requests to all the parks and protected areas. We had quite a degree of difficulty finding the addresses, the e-mails due to, again, insufficient communication. But through much research on behalf of my researcher we accomplished the task, and in good faith we sent out letters to each and every park, wilderness area, protected, and so on. We asked a very simple question. It was: could you give us, please, your three most important wishes? If you could have these three wishes granted – infrastructure, whatever it might be – what would they be?

Well, these hard-working individuals in the field were effectively silenced by this ministry. They were not allowed to comment. In fact, they were instructed not to comment. I was told that as the lowly critic I would receive this information through the Department of Community Development. That communication has not been forthcoming. When I am about talking to individuals in the field, some of them almost have the need, it appears, to cover over their badges for fear that the information or the questions I might ask might somehow find its way back to the department, and punishment would occur later.

This lack of whistle-blower legislation, the lack of communication applies directly to Bill 18. One of the proposals in this bill is to terminate the Advisory Committee on Wilderness Areas and Ecological Reserves. By so doing, we get to silence another group, and we get to say that everything we do within our own department of community relations is fine. We don't need to seek advice from anyone else because we know it all. The bill removes the advisory committee and, as such, reduces democratic participation. This group of six public members and six government members provided advice to ministers on establishment and withdrawal of wilderness areas, ecological reserves, and the making of regulations. Any advisory committee recommendations were to be placed before the Assembly within 15 days. That was a refreshing form of not only consultation but sharing of the information.

This government will say that the advisory committee is obsolete as it's not currently sitting. This is not an acceptable reason to dismantle the advisory committee. The advisory committee has become obsolete only because this government has chosen not to appoint members, not to appoint a chair, or not to call a meeting. In fact, the last document that we have in the library goes back to 1980.

\*These spellings could not be verified at the time of publication.

I guess there's no interest in communication. There's no interest in seeking advice. So to legitimize our lack of communication, we'll just shut down the committee. It hasn't met since 1980. I would like to think that rather than eliminating it, we would renew it.

Now, in terms of parks and protected areas this is a reasonably small expectation in that only slightly over 4 per cent of our land is under provincial protection designation. This ministry can't even manage that amount. In total we have slightly over 500 different forms of parks, wilderness areas, ecological reserves, and so on. Of that approximate 500, only 43 of them have management plans. Of that 43, the majority are very incomplete. How can you protect something that you don't manage?

In addition to the management there is a concern about the ability to manage in the field. Again, when I and other members of our caucus have gone throughout the province and have talked first-hand to conservation officers and park managers, the answer we get is: there aren't enough of us to do the job that we're expected to do. Since 1990 over half of the conservation officers have been removed. There are very few seasonal conservation officers, and there seems to be no career opportunity in the conservation areas for the seasonals to move to full-time employment.

One of the areas that I actually agree with is the idea of increasing the fines. The only problem is: how are you going to catch the crooks when you have very few so-called policemen in the form of conservation officers patrolling large expanses of land to do their job?

Another concern I have has to do with the elimination of buffer zones. To me this is just a matter of legitimizing current practice. Last year I went into great detail, probably painstaking, painful detail, about a specific experience of my own, and that was the Cataract Creek wildlife wilderness area. The buffer zone was effectively mowed down courtesy of Spray Lakes logging, that clear-cut right to the borders of the park. Then, not content to clear-cut, having basically destroyed the perimeter, they passed it on to Bell Pole. Bell Pole was given the permission to drive through the campground, take out the most pristine campsite so that they could build a road up to Mount Burke and to the second set of falls so that they could take whatever other lodgepole pines remained. This is this government's idea of a buffer zone.

In terms of multi-use and multi-abuse, the protected designation at this point is not worth the paper it is printed upon. Industry gets first crack within the majority of parks. They build the first roads. Then the next group to get a crack is forestry. Instead of using the same road to access the area, they have to build their own road. By the time we're through, we've got criss-crossed roads through the park areas. Then we blame wolves for getting after woodland caribou. So we get into our planes, get out the 30-30s, and wipe out the wolves. They're not the problem. It's the access, the cutting up of our wilderness areas that is truly the problem.

3:00

Until people and wildlife have a larger say in the presentation of the parks, we're going to have considerable confrontation and conflict. People with ATVs have legitimate requirements, people with snowmobiles have legitimate requirements, but you cannot coexist with hikers, climbers, fishermen. The answer is not simply just to close down the whole area to all the groups affected but to come up with a plan whereby off-road vehicles would have a place to have their fun, which is legitimate for them to do. Snowmobilers would be able to access areas, which hopefully wouldn't be so clear-cut as to not have any esthetic appeal for travelling. The group that I don't have much sympathy for – but I suppose they deserve a space of their own; I wouldn't like to think that it was a government-

funded space – is the mud buggies. These are the ones that cut up our creeks and our riverbeds. I don't see them as having any legitimacy within a park and protected wilderness area.

This bill does not protect. This bill does not improve the access for people with disabilities. It does not promote access for people of reduced financial means. The rates for camping in our various parks continue to go up, but the private companies who are doing their best to provide the services are not being supported by this government. This government has its special little areas. The Canmore Nordic Centre: this is our poster to the world. This is our version of what we do in Alberta. As soon as you get off the pavement and you venture into the wilderness parks, you see all around the destruction. Within the parks themselves you see the rotting infrastructure.

Back to the concern about multi-use. I don't have a whole lot of trouble with free-range cattle, but I'd like to see them outside the park for my campers and other Albertans to enjoy, not wandering through because of the fact that this ministry has not maintained the fence-lines.

I also have concerns about the sale of public land. This government is very big on selling off its leases. I'd like to see some of this public land turned into park space and protected under a legitimate regulatory body with sufficient numbers of people to see that the regulations were actually carried out.

Alberta is a beautiful province. We've had a series of wonderful movies. But if the helicopter that filmed part of *Brokeback Mountain* had flown a little to the right or a little to the left or over to the other side, you would have seen the clear-cuts. This past week when we were attending concerns over coal-bed methane throughout the Horseshoe Canyon, we saw a picture of what had happened in New Mexico. We saw blotches, which were the well sites. Well, for Alberta those blotches are the clear-cuts. They should not be allowed to happen, and using pine beetles as an excuse for unrestricted forestry management is not acceptable.

Our wilderness should be what we promote. Unfortunately, that is not the case. I cannot support this bill as it takes away from regulation and legislation rather than strengthening it.

Thank you very much.

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

**Mr. Eggen:** Well, thank you, Mr. Speaker. I rise with some interest this afternoon to speak on Bill 18, the Wilderness Areas, Ecological Reserves, Natural Areas and Heritage Rangelands Amendment Act, 2006. I think that the title of this bill is indicative of the breadth that it attempts to cover, so I find, perhaps, speaking to the spirit of the overall bill a little more difficult with this one since it seeks to cover just a wide range of issues in regard to parks, natural areas, and various regulations and statutes that govern those areas.

I can say that I have more questions, perhaps, than answers in general with the entirety of Bill 18; however, certainly, there are a number of specific areas that I have concerns with that I will seek clarity from the minister. Hopefully, we can come up with some amicable agreement to some specific areas in this bill. I guess that most of it appears to be reflecting actual policy and just trying to clarify some sections and update them for changes that have taken place either through policy or through the evolution of use of these ecological areas and heritage areas and whatnot.

However, there are some specific sections that I have circled that I would like to bring up here this afternoon. First of all, section 9 of this amendment. My reading of it is that this section deals with programs or measures allowed in areas of ecological importance. Particularly, subsection (b) is somewhat disconcerting, I think, Mr. Speaker, as it states that the minister may allow programs or

measures to be carried out with respect to “environmental research and reclamation” whereas the original section said, “for environmental research that does not involve any physical disturbance of a wilderness area, ecological reserve or heritage rangeland.”

I find this to be quite a significant change in the language, and I’m wondering if this is an attempt to somehow change our environmental duty to these protected areas and actually allow developments, perhaps oil and gas, perhaps forestry or others, inside of ecological reserves. Of course, the word “reclamation” intimates that you have made some significant disruption in the first place that requires reclamation. So this would be a section that I have particular difficulty with if it is in fact changing the nature by which we have drawn the special places in the first place to protect them from those various sorts of industrial activities that this could imply.

Another amendment that I saw straightaway refers to the Crown not being obligated to ensure “as far as practicable that the interest” in areas of ecological importance is “withdrawn, cancelled or otherwise terminated as soon as possible.” If the interest, in my mind, is “privately owned minerals in an ecological reserve,” as described in section 10, when this might occur, what environmental impact does this amendment have as well? It sort of implies that you in fact are allowing more intensive incursions into a protected area and giving primacy to the privately owned minerals of that said region as opposed to, perhaps, the importance of the integrity of the ecological areas.

So those are two areas that I see specifically that have jumped out at me that are causing trouble. Once again I say that I can’t speak specifically to the spirit of the bill because, certainly, there are individual sections in here that seem eminently reasonable and logical to me, which, I guess, they should be.

3:10

But, say, another couple of pieces here – I do have an overriding feel to this bill. It’s talking about amending heritage rangeland trails, changing it from not allowing motorized vehicles to what in my mind is allowing all-terrain vehicles and snowmobiles. So I’m just wondering if this is a specific intention just for one area or if this is a policy that’s ongoing to allow protected areas and ecological reserves, heritage rangelands to have more motorized vehicle traffic in them. We know that this is a problem in general. I hope that there’s not a policy just to sort of throw up one’s collective hands and let it go just for the sake of the fact that we can’t govern or protect these places due to the insufficient numbers of officers in the field.

I also have a problem with, you know, not protecting buffer zones around protected areas. Without being able to somehow connect special ecological zones together to create wilderness corridors, Mr. Speaker, for wildlife to have a sustained area to operate in, you have this patchwork effect that becomes very evident when you fly at lowish levels across the eastern slopes and all through northern Alberta, where the intact, sort of continuous wilderness has been cut into literally thousands and thousands of pieces due to very intensive seismic and oil and gas and forestry activity over the past 30 years. I think all of us can speak to the dramatic change which has taken place in the continuous wilderness that is inside the borders of Alberta.

It’s very important at this juncture for us to look critically at how much of the overall space in the province of Alberta we are willing to protect and what sort of corridors and spaces there are between these protected areas to allow for the continuous movement of animals and plants and bird life to continue with the sort of intact ecology, evolution, and development of this place that has been the case for thousands of years.

With the speed of development one would expect that our responsibility here in the Legislature is to protect as much as we can while we still can. There’s a point that we’ve, I think, already passed, where we must stand in the way of unchecked development. We certainly have experienced the economic benefits of such development over the past 30 years. But I would say that for the sake of future sustainability, which is a word that we toss around, I think, too lightly in this Chamber sometimes – true sustainability in regard to retaining natural areas will be lost to us forever if we don’t do something now.

There are jurisdictions all around the world which have missed this opportunity, Mr. Speaker, to protect intact wilderness areas and the connections between them, and we’ve lost throughout the world great ecological and diverse and unique places. The boreal forest is sort of the next in line to suffer that end, I would say. It’s unfortunate, but certainly we don’t have to have it happen that way. We have it within our ability here in the province of Alberta to protect our natural areas without compromising our economic growth and prosperity that we have enjoyed. I believe that it’s very much within the responsibility of the Minister of Community Development and all of us here in this Legislature to ensure that we leave something intact and substantial for the future.

Thank you.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available for five minutes of question and comment and answer.

**Mr. Chase:** I just wanted to clarify. I believe you were talking about the pathways, Y to Y animal corridors, that would allow animals their free movement. Could you just clarify potentially what accesses have been cut up by the current industry developments?

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

**Mr. Eggen:** Thank you. Well, we’ve seen in the news and over the last few weeks the controversy over the grizzly bear. The reason that we’re losing the grizzly bears so quickly is, first and foremost, habitat loss. The animal itself is reason enough to act on, but the grizzly bear is also an indicator species of the overall ecological health of a larger ecosystem. Where we see the greatest sort of cutting up of intact wilderness areas is along the eastern slopes. Let’s say that the area they studied or tried to study for the grizzlies, between highway 1 and highway 16, where there was a devastating loss of grizzly bear, was also where you have the greatest loss of habitat that has taken place over the last 20 years, in that same area. That is just an indication of where we need to focus this, as you say, Y to Y corridor, a continuous corridor of habitat along the eastern slopes.

Other jurisdictions and the Americans, with their much greater population and different laws, have been much more successful, ironically and unfortunately, in actually developing that continuous corridor of ecological protective zones to the south of us. I think that we need to step up to the plate in that regard.

Thanks.

**The Speaker:** Others?

Then I will call on the hon. Member for Edmonton-Ellerslie.

**Mr. Agnihotri:** Thank you, Mr. Speaker. It’s my great pleasure to rise and debate against Bill 18, Wilderness Areas, Ecological Reserves, Natural Areas and Heritage Rangelands Amendment Act, 2006. The bill makes a number of changes to the administration of

specific types of provincial parks, wilderness areas, ecological reserves, natural areas, and heritage rangelands.

It terminates the Advisory Committee on Wilderness Areas and Ecological Reserves and adds a requirement for public consultation before designating wilderness areas, ecological reserves, natural areas, and heritage rangelands. It details specific rules about what activities are allowed in the wilderness areas, ecological reserves, natural areas, and heritage rangelands and removes buffer zones from the act. It increases fines for noncompliance by a factor of 10, and in the case of industrial violations, it links the value of the fine to the financial gain through the contravention.

The impact of this bill is less protection. The general trend is to reduce levels of ecological protection in wilderness areas, ecological reserves, heritage rangelands.

There is less public participation in this bill, Mr. Speaker. The bill also removes the advisory committee and as such reduces democratic participation. This group of six public members and six government members provided advice to the minister on the establishment or withdrawal of wilderness areas, ecological reserves, and the making of regulations. Any advisory committee recommendations were to be placed before the Assembly within 15 days.

Removal of buffer zones: as my colleague mentioned, buffer zones are any area of public land adjoining a wilderness area or an ecological reserve as a controlled buffer zone. Less significant and detailed impacts and outcome changes are detailed in sectional analysis areas.

3:20

This bill I am against. I would say this is a good, bad, and ugly bill.

I'll start with the good one. We do support the requirement for public consultation before creating new wilderness areas, ecological reserves, natural areas, and heritage rangelands; however, the advisory committee could work in concert with broader public consultation. We do support higher fines and fines that relate to the amount of revenue gained through the contravention.

The bad part of this bill. I would say that the reason I don't support this is because of buffer zones. Their inclusion in the act has not ensured their use. Buffer zones are more suited to management/planning exercises and could be done through regulation.

The worst part and the reason I don't support this bill is that this bill reduces democratic and legislative participation in regulation and the establishment or withdrawal of wilderness areas, ecological reserves, natural areas, and heritage rangelands.

Our vision for park reform: restart the special places campaign and start the process of designating new areas as parks in underrepresented areas and in unique places. We need to seek balance and ensure that there are proper offsets and protected areas to compensate for industrial areas, such as the oil sands in northeast Alberta. CPAWS has a good plan, and we should consider that one.

We need tougher park legislation. Parks need protection from industrial activities that are still allowed to progress in too many categories. The density of oil wells is higher in parks than in nonpark landscapes.

Planningwise, enshrine the requirement to maintain current park master plans. Too many park master plans are out of date and have no plan at all. We need to introduce a requirement that transactive park master plans are completed every seven years. These are to be approved by the minister and tabled in the Legislative Assembly of Alberta.

Infrastructurewise, embark on a meaningful infrastructure renewal program for all of Alberta's parks. This means renewing basic infrastructure in the regular, run-of-the-mill park across Alberta. This includes picnic tables, fire rings, toilets, hiking trails, et cetera.

Wilderness areas continue to lack any formal legislative purpose or direction. When will they have a formal debate on a vision for wilderness areas? That's a question. How come this bill does not contain a legislated vision for wilderness areas? Do they feel that the allowances for dispositions, the ability to allow other tenures and land uses in ecological reserves, heritage rangelands, and natural areas provides adequate protection to meet each of their legislated mandates? How does the minister believe he can ensure that wilderness areas, ecological reserves, natural areas, and heritage rangelands can be protected for future generations when what happens outside of the park will affect what happens in the park? How will this be addressed without the use of buffer zones? Do they feel that buffer zones are obsolete provisions? It's easy to make a provision obsolete by not following your own policy then justify its removal by saying it's obsolete. It was this government's inattention that made it obsolete.

Mr. Speaker, we are concerned that the government is raising the fines but not increasing patrols or the number of staff. How do you intend to enforce these new fines? Do they feel that this bill will on balance increase protection of parks or will reduce protection? When it comes to the Advisory Committee on Wilderness Areas and Ecological Reserves, this committee requires six park staff to sit on the committee. I doubt that there are six park staff to sit on the committee. I doubt that there are six full-time, nonseasonal employees available to sit at a committee.

Buffer zones are a vital component of managing any protected landscape. We need to think about the greater park because what happens outside the park affects what happens inside the park. Removing buffer zones will reduce the effective size of all wilderness areas and ecological reserves in Alberta.

Thank you, Mr. Speaker.

**The Speaker:** Hon members, Standing Order 29(2)(a) is available. Shall I call on the hon. minister to close the debate?

**Hon. Members:** Agreed.

**The Speaker:** The hon. Minister of Community Development to close the debate.

**Mr. Mar:** Thank you, Mr. Speaker. Sir, Bill 18 amends the legislation that governs wilderness areas, ecological reserves, natural areas, and heritage rangelands. Some of the provisions in this act date back to 1971. Over the years we've added new categories of protected areas to the act, and Bill 18 clarifies a number of provisions for the different categories. Bill 18 also updates enforcement, offence, and penalty provisions. It updates definitions, improves wording and clarity to make the act easier to understand and administer. For example, Mr. Speaker, prohibitions against litter and dumping and provisions for dispositions like grazing leases now will be addressed for all protected areas under this act. Overnight camping in an ecological reserve will be prohibited by statute instead of just by practice.

Bill 18 will also repeal the Advisory Committee on Wilderness Areas and Ecological Reserves. This committee has not been active for over 10 years. We now involve, instead, local communities and stakeholders in management planning and development of any policies for these areas.

Bill 18 also repeals the provision for controlled buffer zones. No buffer zones were ever formally proposed or established.

These changes include a substantial increase in the maximum fines for serious violations like those that may cause significant damage or destruction. Instead of a maximum fine of \$5,000, individuals can now face fines of up to \$100,000. Instead of a maximum fine of \$50,000, corporations can be fined up to one-half of a million dollars. Under Bill 18 if a person makes money from an offence, such as cutting trees in a park and selling the timber, the Crown may recover costs for damages and the courts may levy additional penalties for damages.

Mr. Speaker, I have listened carefully to the thoughtful comments of the hon. members for Edmonton-Ellerslie and Edmonton-Calder, and I will take into account their good questions and thoughts on this bill.

At this time I call the question on second reading for the Wilderness Areas, Ecological Reserves, Natural Areas and Heritage Rangelands Amendment Act.

[Motion carried; Bill 18 read a second time]

3:30

**Bill 20**  
**Freedom of Information and**  
**Protection of Privacy Amendment Act, 2006**

**The Speaker:** The Hon. Member for Red Deer-North.

**Mrs. Jablonski:** Thank you, Mr. Speaker. I'm pleased to move second reading of Bill 20, the Freedom of Information and Protection of Privacy Amendment Act, 2006.

Bill 20 proposes eight amendments to the FOIP Act, each of which I would like to briefly highlight over the next few minutes. The first amendment clarifies that the FOIP Act does not apply to the published works in a library collection. The FOIP Act was not intended to apply to library books on the shelves of our schools and public libraries. Recently the office of the Information and Privacy Commissioner pointed out that this is not clear in the act. This amendment responds to that concern.

The second amendment limits access to ministerial briefing material for five years. Specifically, it provides an exception to the right of access for government records created for briefing a minister who is assuming a new responsibility for a ministry or briefing a minister for a sitting of the Legislative Assembly.

[Mr. Shariff in the chair]

Amendment 3 limits access to records relating to an audit of the chief internal auditor of Alberta for 15 years. This amendment adds a mandatory exception from disclosure for records held by a public body that relate to an internal audit and applies to the records of all audits conducted by the chief internal auditor when those records are in the custody of the auditor and a public body.

Amendment 4 is to further enhance the security of Albertans' personal information. Currently the act allows a public body to disclose personal information to comply with a subpoena, warrant, order of a court, or a rule of court; however, it is not clear which courts this provision refers to. The proposed amendment clarifies that a public body or its service provider may disclose personal information only if ordered to do so by a court with jurisdiction in Alberta or in accordance with a rule of court finding in Alberta. This will make Albertans' personal information less vulnerable to collection by foreign agencies.

The fifth amendment suspends the processing of an access request while the Information and Privacy Commissioner consults with an applicant on whether to allow a public body to disregard a FOIP request. Before a public body can disregard a repetitive, systematic, frivolous, or vexatious FOIP request, it must seek permission from the Privacy Commissioner. The commissioner determines whether the request fits any of these criteria. As the decision to take away an individual's right to make a request is a serious one, the commissioner consults with the FOIP applicant. If approved, the amendment will allow the 30-day processing timeline for a FOIP request to stop while the commissioner makes his decision.

Amendment 6 sets higher penalties for disclosing personal information to a foreign court. Should an individual or corporation disclose personal information pursuant to a subpoena, warrant, or court order when that court does not have jurisdiction in Alberta or pursuant to a court order not binding in Alberta, that person would be guilty of an offence and would be subject to a fine. The proposed fine for corporations could be up to \$500,000 to deter such disclosures, and prosecution would have to commence within two years of the offence.

Amendment 7 allows for the deletion of a body from schedule 1 of the FOIP regulation if the body would be subject to the FOIP Act under another part of the definition of a public body or if the body would more appropriately be subject to another act of Alberta or Canada that provides for access to information or protection of privacy or both.

Finally, our last amendment allows a newly created government agency, board, commission, or committee to be subject to the FOIP Act more quickly. This new regulation-making authority gives the minister the ability to bring a public body under the FOIP Act prior to the next amendment of the schedule of public bodies in the FOIP regulation. Without this temporary designation the new body would be subject to the Personal Information Protection Act.

All these amendments will provide more information and access protection and greater information security for Albertans. Thank you, Mr. Speaker.

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

**Mr. Elsalhy:** Thank you, Mr. Speaker. I'm pleased to rise to respond to Bill 20, the Freedom of Information and Protection of Privacy Amendment Act, 2006, in my capacity as the Official Opposition critic for Government Services, under which the access to information and protection of privacy legislation sits. I have to thank the hon. minister for having agreed to meet with me and for sharing the three-column document with me, which was really useful and helpful. I think I would also thank the hon. sponsor of the bill, the MLA for Red Deer-North. Although she wasn't at the meeting, she's really one of the most active government backbenchers in this House, and I commend her on all her hard work.

We went through the introduction of the hon. sponsor of the bill, and she mentioned the eight amendments, and I wanted to just go through them myself to get my thought process in order here. Talking about the Minister of Government Services having the authority to make regulations, that he or she can move a body onto the schedule, we've talked about regulations being made behind closed doors or, you know, privately, with no review and no scrutiny from the Legislature. This is the discussion that we seem to be having to go through time and time again.

The issue about the subpoenas or court orders and making the Alberta courts paramount: I think this is useful because if the information is housed or collected or stored in this province, then it has to be an Alberta court that actually allows access. So I will



touch on this, which is a favourable development. I also liked the idea of increasing penalties for breaches or contraventions of the act. The other thing that I liked was the introduction of minimum penalties and so on. So I guess what I'm saying is that this bill is sort of half good, half bad, in my opinion. I would have much rather seen this bill split into two.

The way I take it is that private members traditionally would introduce a bill that is really pertinent to either their constituents or something that they personally have interest in. So I would have actually liked the hon. sponsor of the bill to sponsor half of it, which is the one dealing with the USA PATRIOT Act and, you know, foreign authorities trying to access information on Albertans and so on, because that is something we all agree with. This is something that I personally asked for in the First Session of the 26th Legislature.

The other half, which is the one that I find myself in disagreement with, should have been perhaps sponsored by the minister. That's the one that I would be inclined to debate more. Instead, they were packaged together, and they were sponsored as one package, which really forces me to either take it all or leave it all. I have mentioned before that there is this approach of poison in honey: you give somebody something to eat, and it tastes good, but what's inside is really bad for you. Sugar-coating rat poison, for example, doesn't change its nature; it's still rat poison. I don't like this one bit.

I mentioned that half of it is good. I agree with it, and I'm going to actually go through the ones that I agree with. I definitely approve of and wholeheartedly support placing restrictions on foreign authorities or companies co-operating with or taking direction from foreign authorities. We are all aware of the provisions of laws like the USA PATRIOT Act, for example. If any agency from the U.S. or from any other jurisdiction needs information on a certain Albertan or wants to gain access to information that pertains to an Albertan or is housed in Alberta, they have to go through the proper channels, and by that I mean an Alberta court. Orders from foreign courts will now mean nothing. This act clarifies this aspect, and I totally support this.

### 3:40

The second part, which I mentioned briefly, is the issue with penalties and maximum fines. Raising maximum fines for individuals and also raising maximum fines for corporations for breaches of the act is definitely a good thing. Everyone has to know that breaking this law or any other law, for that matter, in this province will be dealt with in a corresponding manner with zeal, force, and with timeliness. We take the privacy and the protection of information of Albertans really seriously, and any individual or corporation who is even thinking about contravening the FOIP Act will now think twice.

Tomorrow, Mr. Speaker, less than 24 hours from now, we're going to be celebrating 100 years of democracy. But doesn't a true democracy entail some degree of transparency and accountability? What I'm referring to are the bad things in this bill now. I keep saying in this House and outside that if this government has nothing to hide, why is it adding more layers of secrecy to its already thick cloak?

Federally Justice Gomery insisted that more openness and transparency were warranted. Is this province any different? Why are we not adopting his recommendations here as well? Could it be the old attitude that everything is fine and nobody needs to worry and that the government business is none of the opposition's business, that we should not be reviewing it, that there's nothing wrong and, you know, everybody should be happy?

Some definite examples of these questionable amendments, like the hon. member across briefly alluded to, is exempting ministerial

briefing notes from access under FOIP. Now, how long are we doing this for? We're doing it for five years. I know that the minister tried to explain this in our meeting by saying that they're documents that are sometimes used to prepare for an upcoming legislative session or for bill ideas or things like that. But, really, why five years? Why not only six months or maybe a year? Why at all? What could anybody tell any minister that this minister may be uncomfortable revealing or sharing with Albertans? This amendment also allows background facts to be severed. Who is this government working for that it doesn't want to share its research on the various issues? Again, why all this secrecy?

The second one, Mr. Speaker, is an observation I made in my short period here over the last 16 months. I have made the observation that staff and employees in certain ministries or perhaps all of them – I am not sure – are becoming increasingly careful about what they say and what they put on paper or in an e-mail in fear that if it were to be FOIPed later, they would be in hot water. So they're really careful about what they say and what they write.

Moving on, this bill has something that is really questionable in the way of exempting the investigations, findings, and reports generated by, given to, or obtained by the chief internal auditor for a period of 15 years – 15 years. Mr. Speaker, this is a terribly long time to be hiding things. Again, the argument here is that the chief internal auditor's role is only advisory or consultative. My rebuttal is that, again, if there's nothing to hide, then this government would look a lot more honest and forthcoming if it did not restrict access to this information. The visual, you know, the public perception of government that everything is bad and all politicians are corrupt and government is up to no good: we have to fix this. We actually have an opportunity to fix this right here, but we choose not to.

Also, the issue around who is the chief internal auditor accountable to. I've made this argument before, and many of my colleagues have as well. It's the classic definition of employer or boss. As an MLA my bosses are the people who elected me and entrusted me to ask questions on their behalf. The chief internal auditor and, for that matter, the entire internal audit committee work for the people of this province, not for the government and not for the minister. Their work is performed to make sure that the interests of the public and the tax dollars in the public purse are protected and dispensed according to best practices and with the utmost accountability. So hiding any type of information, however benign or useless or trivial in the opinion of the minister, really looks bad, especially now when we're trying to convince people that what happened federally is not going to happen here provincially and that we're taking measures to ensure that accountability, transparency, and openness are not only protected but promoted and encouraged by all government departments.

Lastly, before I conclude, Mr. Speaker, is the issue surrounding permission to disregard FOIP requests. I'm starting to envision FOIP administrators at the different public bodies looking for reasons to dismiss an application. So an application is not looked upon as to: how can I help this applicant; how can I release this information? They're now looking at ways to stop it and ways to refuse to release it.

This amendment will now pause or stop the clock as the commissioner studies the request for dismissal and arrives at his or her ruling. Currently the application clock continues to tick along for its 30 days' duration while the commissioner is conducting his or her review or evaluation. This amendment now stops the clock indefinitely, until a decision is made. That could be 30 days, like it is now, or it could be two months, or it could be a year, or it could be longer, maybe two years. Who knows? This is definitely unacceptable, and I would have found it a little easier to swallow,

Mr. Speaker, if they could have recommended that maybe the 30-day period would have been made into six weeks or 45 days or something that is reasonable. But the way it's worded here is really ridiculous.

So the cap. I would have much rather seen this bill split into two. One bill that I would have actually wholeheartedly supported right away, the part about protecting the privacy of Albertans. This is paramount. This is really, utmostly important for myself and for everyone in this House. It would not have received a lot of debate because everybody agrees on the merit and the usefulness and the benefit. The other half, which is the one adding more layers of secrecy, would have been the one that we would have argued against. So if I'm going to vote and it's all or none, I'm going to definitely urge everyone to reject this amendment.

Thank you, Mr. Speaker.

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

**Mr. Chase:** Thank you very much. Like my hon. member who previously spoke, I appreciate the government's attempt to keep foreign fingers from our privacy documents; however, the majority of this bill, as far as I'm concerned, is basically providing a sufficient length of time to bury the evidence, long enough for the minister to escape public accountability.

George Orwell in his novel *Nineteen Eighty-four* made the observation that "he who controls the past controls the future." By hiding, burying, FOIPing, what I referred to in last week's question period as an impenetrable FOIP-filled moat, the day-to-day business of this Legislature is prevented from occurring in a smooth, transitory manner. The government uses FOIP as a blunt instrument to basically bash opposition requests. Imagine if we were to actually share and work on information, if we had a level playing field, if our constituents could see us all on policy committees, working together for the common good of the province as a whole instead of this confrontational approach of us and them that Legislatures symbolically have maintained.

FOIP prevents the opposition from carrying out its job. I am not the least bit interested in the number of bottles of either red or white wine that were served at a Wednesday night lobbying function. What I am interested in is such details as flight logs. What I am interested in is detailed expenses of road transportation, number of conservation officers in a particular park, et cetera. This is all information that would be useful in terms of planning and, in a lot of cases, supporting government intentions.

3:50

Unfortunately, walls of FOIP are thrown at us on a regular basis. Yesterday, when we were talking about freedom of information, I think the figure came up to something like \$300,000 or \$174,000 for requests of who attended certain Treasury Board meetings. This type of hiding is the equivalent of: this group of new swimmers gets to wear the life jackets, but the other guys have to wear weights around their ankles. There's no sense of communication, transparency, accountability. It's: we will do our darndest because we're the government to prevent you from carrying out the role that the people have elected you to do, and that's basically requiring the government to be accountable and transparent.

Also, the government tends to pick winners and losers, and they don't seem to pick them in a particularly understandable way. For example, Impark. This outfit has a notorious, thuglike collection agency policy. It called people up at 2 in the morning with its demon dialing system, and it was misinformed; it called the wrong people. Yet outfits that are legitimately trying to improve the quality

of life for Albertans, especially amputees – War Amps was initially denied the information that it needed to send out its appeals. I don't know whether key rings were considered potential foreign infiltration concerns, but the War Amps had to go through quite a process to get permission. Likewise, veterans had to go through quite a process to achieve the veterans' licence plates that we all celebrate now.

If the government wants to be not only perceived but valued for their transparency and accountability, all the FOIP costs could be avoided. As I said, I don't need to know the internal workings. I don't need to know what the minister ate when they sat on the jumbo jet heading to Ottawa because our own jet was in the hangar or what they ate in Hinton when they hopped on the government plane, but I do need to know the day-to-day workings to do my job. For example, we put forward a FOIP request to find out the details happening with the young offender who found his way to the bottom of an elevator shaft. All this information the taxpayers have paid for, and it isn't the exclusive right of the government to hide this information in its archive as opposed to sharing it.

What we need is a government that values accountability, transparency, that doesn't get involved in either petty or grand expenses. The simple way to get over the cost of FOIP would be to table the documents. By simply tabling them and providing them, there is no cost associated. Every day no extra cost is associated. Every day we table documents as part of our process. We have called upon the government on numerous occasions to table their information. We've basically been receiving the approach: "It's mine. It's all mine. How dare you ask for this type of information?"

Protect us from our foreign invaders? Secure us from our internal Vichy regime. Thank you.

**The Acting Speaker:** Standing Order 29(2)(a). Any questions or comments?

The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Speaker. I rise with interest to have an opportunity to speak on the bill as brought forward by the hon. Member for Red Deer-North. I think that Bill 20 has a number of things that I would find meritorious yet some other things that are quite troublesome and really the opposite of the intention of the other part of the bill, so you've got to wonder sometimes how these things might come to fruition.

I think that I would like to speak in general on the bill on these proposed amendments. It seems to be aimed at protecting personal records from being improperly obtained by foreign governments, for which I am very grateful. I think it's a great idea, and it's long overdue. They also seem to speed the process for bringing new government boards and committees under the FOIP Act, which I think is somewhat troublesome. Some other amendments clarify how the act applies to specific categories of records like ministerial binder exemptions – what's that all about? – and addressing a request processing issue identified by the office of the Information and Privacy Commissioner. They propose to allow somehow suspending a request until the Privacy Commissioner determines if the public body can disregard the request.

You know, there are many elements to this bill that would slow the process and the job we're meant to be doing here on both sides of the government, which is to work with the clarity of fact and with the objectivity of the best interests of the people of Alberta in mind. So I do have some serious reservations about this bill, Bill 20, and I would like to perhaps suggest some changes.

In this century more than in any other, Mr. Speaker, information is a very valuable commodity. Following the events in September

of 2001 in the United States the American government concluded that the best tool it had at its disposal to fight the so-called war on terror was seemingly innocuous bits of information on everyday things and patterns of behaviour of human beings. When collected and analyzed, it's assumed that these data streams of everyday life will establish clear distinctions and patterns relating to crime. In its attempt to maximize the data and analyze this, the USA PATRIOT Act has given American courts and law enforcement officials greater access to all kinds of data about individuals, including, potentially, Canadian citizens.

The B.C. Privacy Commissioner concluded after some very serious reflection that more stringent measures are needed to be put in place to ensure that a Canadian citizen's personal information remains just that: personal and Canadian. Alberta's own office of the Information and Privacy Commissioner has concurred and just recently released a report about security risks associated with foreign access to Albertans' personal information. The findings stated that "it is important that the Government make a strong and unequivocal assertion of the value it places on the privacy and security of the personal information of Albertans." That's from page 33 of the Privacy Commissioner's report *Public-sector Outsourcing and Risks to Privacy*.

Mr. Speaker, these proposed amendments may in part seem to address those concerns, which is good, by specifying that only courts or bodies having jurisdiction in Alberta may have access to FOIPable documents, thereby seeming to exclude American courts or companies. While we applaud that apparent commitment to protecting our citizens' personal and private information, there are several what we consider to be quite objectionable sections to these amendments that deserve serious criticism and consideration.

The NDP has had a lot of experience with delayed and stymied quests for information over the years, where it's taken upwards of five months to get access to requested documents rather than the 30-day requirement stated previously. Considering the already great difficulty with which FOIP requests can be successfully made, we wonder how these amendments propose to address access issues in favour of the public because, after all, when we do request information through FOIP, we are doing it in the name of clarifying issues and considerations for the public's best interest. Not serving that, I think, undermines the basic means by which we can cast a constructively critical eye on what the government is doing.

First of all, if we could ask for clarification regarding the proposed inclusion of non-FOIPable material of published works available online, say in public libraries, then why is this an issue? Often this material is already available in the public domain. Self-published works, if they're available at libraries, are catalogued and may be taken out. If they are already available in the public domain, why should they be excluded from a FOIP access if someone should choose to obtain them in that manner? This, I would suggest, Mr. Speaker, casts a light on the overall intention of this government to withhold information, and the spirit of not being able to access that information goes against the better judgment of running a good, transparent government.

4:00

Secondly, and more importantly, the five-year FOIP exclusion of ministerial briefing materials proposed here is based on the argument that public access to such documents may impair the government's ability to prepare for session, which, Mr. Speaker, I really must say is quite outrageous. The legislative debates based on notes like this are public, and to bar access to them is to invite accusations of secrecy. For a government already plagued by a lack of accountability and transparency, we're rather shocked that such amendments are proposed.

The very spirit of democracy rests on the fact that the government is formed by and for the citizens of Alberta, and therefore the documents, preparatory notes, and discussions must be made public and available to the public, particularly considering that such ministerial briefings do not and should not be considered as revealing the substance of deliberations of Executive Council any more than ministerial comments and debates do in the Legislature. These are two different things, Mr. Speaker. Along these lines, the other part of this, the 15-year exclusion of documents belonging to the chief internal auditor of Alberta is equally unacceptable.

Mr. Speaker, we have some serious problems with the second part of this bill, and I think we have to call into question why the two pieces are attached together. In fact, it is important for us to protect the information of our citizens from foreign incursion, but at the same time we're somehow withholding information that our own citizens are entitled to look at and use as part of the deliberation of good government. So I do want to express these reservations that we have at this point in time, and hopefully during the course of this legislative session we can make some corrections.

Thank you.

**The Acting Speaker:** Under Standing Order 29(2)(a) any questions or comments?

The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker, for the opportunity to rise and speak in second reading to Bill 20, the Freedom of Information and Protection of Privacy Amendment Act, 2006. This is always an interesting experience because, in fact, the intention of FOIP legislation, freedom of information and protection of privacy, was supposed to be about openness and transparency. It was supposed to be about access to government documentation. That's where the idea of it came from, but in the hands of this government and some other governments, I must admit, it's turned into denial of access to information and in some cases has reached a very fine art of denial.

There are a number of things being anticipated here. I went back and asked for a copy of the Select Special Freedom of Information and Protection of Privacy Act Review Committee final report from November of 2002. I haven't been able to read through all of it, so I'll be looking forward to participating in the Committee of the Whole discussion here. In my cursory reading of this it looks like what this legislation is doing is absolutely dead opposite from what the committee recommended, but I will take more time to look through that and participate in Committee of the Whole on that specifically.

The idea that this government is open and transparent is, indeed, laughable. I don't do many FOIP requests, Mr. Speaker, mostly because I do regard it as a very long and tedious exercise in futility, but the few times I have done it, I'm struggling to remember if I ever got any information. I know that some of my colleagues have been much more prolific in their applications, and I think the success rate is about 10 per cent, but I'll let them speak to that.

A couple of things are being anticipated here. One of the ones that's really interesting to me is the shutdown of information, making the documents from the chief internal auditor exempt from FOIP requests for a period of 15 years. This gets really interesting. Does this set the stage for the Public Accounts Committee to be refused information from the chief internal auditor as well? What about motions for returns or written questions? Do they end up following that lead, or is the FOIP legislation, in fact, used as a reason for not releasing the same kind of information?

I would've thought that a committee like Public Accounts, which is formed of members of this Assembly, is not restrained, as far as I know, from asking for anything, and they have an expectation that they should receive it. The chief internal auditor is an integral part now of the way that the government manages its own finances, and therefore it comes under the scrutiny of Public Accounts as well.

It's a relatively new creation, and I would have to say that it appears to have hit a stumble. I would venture to say that it's not working well right now and seems to actually be stalled. I'm thinking that they haven't even managed to replace the last chief internal auditor, who was the first internal auditor. I think they haven't even replaced him, so one presumes that whole office is sort of on hiatus.

What we've got here is that the office that was created to really look at how the government was managing its financial documents and audit more closely how the government was handling all of that is now going to set itself apart and not be open to any kind of scrutiny, which really shuts down any kind of scrutiny of the government's finances. That's why I'm asking the question about access to the Public Accounts Committee. Will that be shut down as well, as a corollary or an effect of what's being anticipated in this legislation?

One of the other sections is contemplating allowing a timeline on a FOIP request to be halted. The clock is to stop ticking when the commissioner makes a decision as to whether the request should be rejected or disregarded, so it's on an appeal process in front of the commissioner. This I find amusing because it's already in effect, Mr. Speaker. I'm dealing with that very thing right now.

Back in September we applied to get information that would tell us what evidence the government was using to move forward on its third-way health framework, what they were basing this on, what the cost-benefit analysis was, what studies, what exactly they were basing this whole idea on. We did a FOIP request in September, and you get the usual: okay, you'll get a response within 30 days. I don't have all the exact dates in front of me, but I think it was shy of the first 30 days that they came back to us and said: well, this is a huge request. We said: okay, fine. We narrowed the request right then, so within the first 30 days we presented a narrower request of what we were looking for.

Then they came back with some huge amount of money, which is standard practice now. They don't actually want to be seen saying no to you, but they're going to come back to the opposition and demand, you know, tens and into the hundreds of thousands of dollars to pay for the staff time and the photocopying to actually get the documents, which is the same as saying that you can't have the stuff because that's a huge part of the caucus budget for the opposition and in some cases actually probably exceeds the caucus budget for some of the other opposition parties. In effect, it's another way of refusing a FOIP request without doing it.

4:10

This saga continues. We're asked for a huge amount of money. We appeal it, saying that it's in the public interest, and in fact that's granted. The amount of money is reduced by I think 80 per cent. So we come up with a purchase order to pay for the reduced amount. We submit it. Time goes by. Nothing happens. We go back and say, "Where is it?" "Oh, well, we didn't get anything from you." "Well, we submitted a PO to you. This should be progressing." They look around, and they've lost the PO. They can't find it. They insist that we never sent it to them. Well, we can prove that we sent it to them. We recorded it all. We kept copies of faxes and remittal sheets and that sort of thing, so we can prove it. But, no, they can't find it.

We get another PO issued, a second PO. They lose that one too. Then there's a third PO issued. Time has moved on. We've appealed again to try and get the entire amount dismissed on the argument that if you've recognized that it's essentially in the public good and reduced the amount the first time, that argument holds for the whole amount.

We're now several months past this. Remember, we started in September, Mr. Speaker. We're now into the new year, so we're four, five months into this process. We still have nothing, and we've been delayed.

The next trick is that you just keep changing the officers in the department who are responsible for FOIP. We'd go back to them and say: "You're overdue. You're late. You've lost another PO. What's going on?" "Oh, I'm sorry. That person is gone. The new person will have to familiarize themselves with the file." That seems to take, again, another period of time. They lose it. I think some of these different people were responsible for losing some of the POs. I'm not exactly clear on that timeline. But that's what has happened to us. We've been assessed amounts of money. We've paid it. They've lost POs. They've changed FOIP officers. I think we're on the fourth or fifth FOIP officer on this file in six months.

Now we're told that if we want to appeal this again, well, then there would be a halt. The clock would stop ticking, and they would stop accumulating the files that we now have a FOIP order to produce. Do we appeal what's happening to us? If we do, then the clock stops ticking and they stop collecting the documents. Well, we still want to see the documents, so at this point we're having to hold off on that in the hopes that they will continue to collect these documents and finally hand them over. We're now being told June. We started this in September. You're supposed to be getting these documents within 30 days. You're supposed to get a letter within 30 days that tells you whether it's going to be followed through on immediately or if there's some other issue.

I mean, we're not talking 90 days' delay here, Mr. Speaker. If we don't get it in June, it's quite likely we're looking at September, which is a whole year to get something that is perfectly legitimate for us to be asking for. It's already been recognized that it's in the public interest. So this FOIP legislation is not being used to enhance access to government documents. It's being used to restrict and deflect access to public documents, to deny the opposition and the public access to public documents.

I notice the – I think we should name it the Gold Bar and Strathcona memorial section, which recognizes the work that both of those individuals did in raising the issue of the USA PATRIOT Act and the effect that it could have on personal information that was collected by our government and the ability of private U.S. companies that had anything to do with us to have their files looked through by the U.S. government. That's how that whole thing was set up. Indeed, I was here and was able to hear both the Member for Edmonton-Gold Bar and the Member for Edmonton-Strathcona raise that issue repeatedly. Thank goodness that they did because we are seeing the government take some action on that. Congratulations for figuring out that one. [interjection] Yes. I'm being reminded that my colleague from Edmonton-McClung did as well. Timingwise, the members for Edmonton-Strathcona and Edmonton-Gold Bar were raising this in 2003 and 2004, I think.

So a good thing there. When the government does something right, I try and encourage them by saying: you did something right there; keep doing it.

I'm interested in how this is all going to play out, in effect, what is possibly before us in the government's new policy framework on health. What's being anticipated there is moving to private insurance. Well, the private insurance providers that have indicated

an interest are all coming out of the U.S. Insurance companies are very adept at collecting vast amounts of information on individuals and using it back and forth with other insurance agencies. What's interesting about that is that we're always asked to release access to that information when we apply for a bank loan, a credit card, any kind of a mortgage.

My own insurance company tried to get me to waive and to release information of all kinds of aspects of my life that they had no business knowing. They gave me a nice sort of little threatening clause in there saying that if I didn't do this, I might perhaps have my insurance cancelled. I said: "Well, fine. Cancel it. I'm not giving you the information." But I suspect that a lot of other people went, "Oh, dear," and ticked off the box and said, "Yes, you can have access to that."

So how is FOIP going to work, then, if we have U.S. health providers and U.S. private insurance companies dealing with our personal health information and that information is now being held by them in the U.S.? How is FOIP going to protect us then? I'll be interested to hear from the sponsor of the bill whether that's been anticipated and what specifically has been put in place to protect us. I don't think this clause, as nice as it is, is going to do it. But let's hear from the sponsor of the bill. I think we're all aware that once we open it up to U.S. health providers and U.S. insurance companies, then we have opened it up according to NAFTA and all bets are off. I think that's more of a concern.

One of the other issues . . .

Oh, Mr. Speaker, I'm so disappointed. This is such an interesting bill.

**The Acting Speaker:** Standing Order 29(2)(a). Any questions or comments? The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you, Mr. Speaker. I'm sure you anticipated the question.

You were so rudely cut off by the bell. Did you wish to conclude your statements?

**The Acting Speaker:** Brief remarks.

**Ms Blakeman:** Thank you very much. What I had wanted to talk about was the assessments that were being levied for people who went through the FOIP process and the discouragement that that's given to not only the public but also to the opposition members.

Finally, I think the members opposite need to be careful what they wish for. I know that they anticipate that they will be in power forever, but they won't be. Do they wish to live under the FOIP restrictions that they are putting in place? I would venture to you, Mr. Speaker, that we will hear very different sounds coming from members on that side if they are subject to these FOIP restrictions that they, in fact, are trying to put into place. It may well serve the purpose of the government members now, but they will not be government forever and possibly not even government for much longer. I think they need to carefully consider whether they wish to work under those same restrictions that they're now putting in place, if I may offer that as a conclusion.

Thank you.

4:20

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

**Mr. Agnihotri:** Thank you, Mr. Speaker. I am pleased to rise again and debate against Bill 20, the Freedom of Information and Protection of Privacy Amendment Act, 2006. This bill aims at achieving eight objectives. Four of the amendments are aimed at

further restricting the information that may be available through a FOIP request. Of those four, two may be viewed as positive steps because they will restrict the ability of foreign authorities from accessing private information through warrants. The other two may be viewed as an attempt by the government to keep potentially sensitive material secret. We oppose those two objectives strongly, particularly the one dealing with the ministerial briefings.

One of the objectives is to increase the power of the Minister of Government Services by allowing him or her to make regulations regarding the FOIP Act. The stated purpose of this objective is so that the minister may designate new public bodies, making them accessible through FOIP requests in the interim while the schedule of public bodies is updated, which is complex and time consuming. We support this particular amendment.

One of the objectives is to put in half of the 30-day timeline when a public body requests that the commissioner allows the body to disregard the request. My recommendation is to oppose this objective as the FOIP process is already very time consuming.

One of the objectives is to increase the penalties for unauthorized disclosure of private information by individuals and corporations. We support this objective as there must be real consequences for these offences.

One of the objectives is to allow a public body to be deleted from the schedule of public bodies even if that body receives substantial funding from the government. We strongly oppose this objective.

Mr. Speaker, although there are some positive changes that are being proposed here, overall the impact of this bill would be overwhelmingly negative. Let me talk about the positive impact of this bill. The proposed changes regarding library information and foreign court orders ensure that Albertans' information is not susceptible to foreign authorities. These changes are in response to concerns first raised by the province of British Columbia regarding the impact of the USA PATRIOT Act. The proposed changes regarding more severe penalties are also positive. Having these changes will ensure that individuals and corporations that hold personal information know that violating Alberta's law regarding disclosing personal information will have serious consequences.

The negative impact side of this bill: proposed changes regarding information held by the chief internal auditor and ministerial briefings will have a negative impact. This government is well known to be among the most secretive in Canada.

**Mr. Chase:** Two awards.

**Mr. Agnihotri:** Two in a row.

This is another attempt by the Tories to restrict public access to information that the government wants to be secret but that Albertans should be able to access. The proposed changes regarding the deletion of public bodies from the schedule of public bodies also have a very negative impact. For example, if the government provides significant funding for a research institute, that institute should be considered a public body because it will be under the influence of the government. The government would have studies conducted, reports produced, et cetera, through this institute, yet its work would be exempt from FOIP access. Mr. Speaker, this is an attempt by the Tories to further limit the public access to information.

This bill does propose some positive changes. However, the negative outcomes far outweigh the positive; therefore, it is recommended that we oppose this bill. We would want to amend this bill by removing the sections which deal with the chief internal auditor, ministerial briefings, timeline extension, and the deletion of a public body from the schedule of public bodies.

I see no need for the changes there to section 6 of this act. For one thing, the act already limits to a great degree information that is prepared by all four ministers in sections 22 and 24. If the purpose of the changes to section 6 is merely to allow the government to effectively prepare for a sitting of the Legislative Assembly, why the five-year timeline? That's a big question.

The minister has commented that ministerial briefings should be exempt from FOIP access to allow the government to properly prepare for a sitting of the Legislative Assembly. Does the minister not realize that the opposition too must prepare? As the opposition our rule requires that we will be able to hold the government accountable. This bill would seriously limit that ability for us.

The new restrictions relating to the chief internal auditor are very troubling, very troubling. The reality is that the office of the CIA is staffed primarily by deputy ministers and the Tory faithful. Now you want to make it so that CIA investigations into the government activities are hidden from the public for 15 years. How will this result in an accountable government? Another question.

Now I would like to talk about the FOIP fees that are restrictive. My question is: is it revenue or a hurdle to deter or prevent the access? When a FOIP request is processed, sometimes up to half or 60 per cent of the documents returned are blanked out or blacked over or withheld. Are we interested in protecting the privacy of citizens, or is it the prime directive to prevent access to government information? Which is the priority of this government? That's a big question.

Mr. Speaker, now I would like to adjourn this debate. Thank you very much.

[Motion to adjourn debate carried]

### Bill 21

#### Assured Income for the Severely Handicapped Act

**The Acting Speaker:** The hon. Member for Strathcona.

**Mr. Lougheed:** Thank you, Mr. Speaker. I'm pleased today to rise and move second reading of Bill 21, the Assured Income for the Severely Handicapped Act, or the AISH Act.

As the chair of the MLA AISH Review Committee and chair of the Premier's Council on the Status of Persons with Disabilities, I'm pleased to see this bill come before the House. I'd like to remind the members that in April of 2005 the hon. Member for Calgary-Bow and the hon. Member for Calgary-Nose Hill and I released the report on a comprehensive review of this important program. The AISH program provides support for over 34,000 Albertans with a severe disability that impairs their ability to earn a living. This program provides vital income support and health benefits for Albertans in need.

4:30

We had an overwhelming response to the program review, Mr. Speaker. We received responses from over 18,000 Albertans, including Albertans with disabilities, their family and friends, and disability organizations. We are very grateful for this input. It helped us to make 11 recommendations, which I'm pleased to say the government moved quickly to implement and which have led to the introduction of this Bill 21.

In April of 2005 we introduced significant improvements to the AISH program. Among these changes was an increase to the maximum living allowance, from \$850 to \$950 per month, which will increase again to a thousand dollars on April 1. In addition, the Minister of Seniors and Community Supports introduced personal

income support benefits last October to help clients with extra monthly and one-time expenses like, for example, paying for children's school supplies or travel to medical appointments. Another significant improvement we made was to renew the program, including increasing employment earnings exemptions.

All of these enhancements have been very well received by clients and their families as well as stakeholders in the disability community. Bill 21 promises to continue to improve this program. AISH clients told us that the program wasn't flexible or responsive to their unique needs. While the enhancements made over the last year were very important, legislative changes are necessary to fully move the program forward in the way Albertans have asked for, and that's why I'm pleased to see this bill before this Assembly.

One of the biggest changes Bill 21 offers is flexibility in the reporting of income. Right now clients report their income on a monthly basis, which makes sense for those clients whose income changes regularly through their work or through some kind of investments. However, Mr. Speaker, approximately 85 per cent of AISH clients either have no other source of income than their monthly living allowance or their income does not change more than about 10 per cent from one year to the next. Bill 21 will allow those clients whose income is quite static to report less frequently, possibly as little as one time per year.

Basing reporting frequency on individual client situations will improve program efficiency by making it easier for clients to report changes in their income and reduce the occurrence of overpayments and underpayments. More than ever before, the new legislation will respond to the unique situation faced by AISH clients while at the same time ensure that AISH clients who work or whose income fluctuates during the year can continue to report their income monthly.

As you can imagine, Mr. Speaker, with over 34,000 files occasionally errors in reporting income can result in a client being overpaid or underpaid their AISH benefit. The rewritten act is more flexible in terms of how these errors are corrected. By passing this legislation, we'll be able to make sure that AISH clients first have the opportunity to appeal the overpayment and exhaust that process before a debt is assessed and collection action taken. In the past collection began as soon as an overpayment was identified. With the proposed change, after an appeal panel decision, any client who feels that they have not received due process will still have the opportunity to go to court. The bill also allows for government to consider special circumstances and, if appropriate, exempt the client from repaying the amount that they were overpaid.

Mr. Speaker, in summary, these changes will first of all allow us to respond better to individual situations; secondly, ensure that clients have access to appeals in overpayment situations; and thirdly, bring the legislation up to date and in line with all the positive changes made throughout the past year.

As chair of the Premier's Council on the Status of Persons with Disabilities part of my role is to bring forward issues that are important to the disability community. We achieved that, I believe, during the MLA review process, and I'm pleased to continue that today by speaking to this renewed bill.

Mr. Speaker, thank you for allowing me to speak to Bill 21, the Assured Income for the Severely Handicapped Act. I encourage all members of the Legislature to support this important legislation as it continues our commitment to improve AISH. Thank you.

**The Acting Speaker:** The hon. Member for Lethbridge-East.

**Ms Pastoor:** Yes. Thank you, Mr. Speaker. I've reviewed the changes and the work that the MLA review committee did, and there

is some really good work here. I want to be able to support this bill; however, I do have some reservations. The numbers that you have quoted of the people that are involved is actually a very, very small percentage of Albertans; however, that number is our most vulnerable. Probably the other group that would be most vulnerable would be the homeless. I believe that these people are so very vulnerable, and therefore our responsibility to look after them I think is very, very great. They exist and they survive. We are lucky because we live and we have many, many choices with how we live our lives and what we can do with our daily living. They don't have many of those choices.

One of the things that I do have reservations about is that with the review guide it said that almost every respondent identified the need to increase the AISH financial benefit. What I would like to have seen there is a serious consideration of having those dollars, the base dollars that people on AISH get, actually be indexed so that when they see that toothpaste, toilet paper, and their utility bills have gone up, they at least have a hope that next year they will get that increase, that will help relieve that fear of what they are going to eat if they have to pay for the utilities.

One of the other comments that was made is that the government has changed the policy to make the practice of not having to go to court legal in terms of people who were having difficulties in either underpayments or overpayments. I believe that it may be legal, but is this really the way that we expect to be governed? I would question the moral and ethical aspects of this practice. The Citizen's Appeal Panel I think is a good first step towards addressing this dilemma, provided that the staff deal with our citizens in a very respectful way.

I believe that sensitivity training could well be applied to some of the people that are in these departments that often deal with these people who have mental problems. Their medication may not be on that day, and many of them do have limited education and sometimes can be very difficult to deal with. In particular, when you have to repeat the same kinds of information over and over again, it does take a certain sensitivity to be able to handle that. I also think that it's not particularly accountable. I think that we have to be very accountable not only with our dollars and with the process but with our behaviours.

One of the other big concerns for me is that many of the significant provisions have been moved to regulation as opposed to actually being legislated. I believe there are many things in here that should be legislated so that there's a comeback. Despite the fact that it may all get lost in FOIP, I believe that there must be that opportunity.

Future changes must be made in an open and accountable manner. I believe that the accountable manner is better easily handled through legislation as opposed to regulations that are often done behind closed doors.

4:40

I know that the Premier is always asking for ideas, so I would like to throw out an idea particularly for people that receive AISH payments on a very regular basis. On my utility bill it is very, very clear what I have paid for, how much I owe. I'm on a budget plan. If I'm over or under, it's very clear on every single statement that I get exactly where I stand. The utility companies have a very excellent tracking system to be able to do that. I'm wondering if we couldn't implement some sort of a statement where if a mistake was made, there would be a much better chance of catching that mistake over, say, even a six-month period than letting it drag out, where these people just take the money and may not actually think their way through or have a statement to compare it to to see if they're

over or under. If they have the statement from last month and they got a hundred dollars and this month they're getting \$200, would that not trigger, perhaps, the question: why is this over? Or if they got a hundred dollars and this month they only got \$50, I'm sure it would trigger that question, and they would realize quickly that there is a problem at some point with the money they're receiving.

I've mentioned that I think sensitivity training is essential, particularly for the staff that deal on the telephone or the staff that might help people fill out the actual forms.

**Ms Blakeman:** The front lines.

**Ms Pastoor:** Front lines, yes.

I feel that removing the court ability is a common legal defence open to other Albertans in fighting debts or in fighting anything. I believe that by removing that from the AISH recipients, we have now segregated them again into a separate body that doesn't have that fairness of being able to use the court systems.

I'm not clear on the details of what the regulations relating to the following sections of 12(1)(b), (f), (g), (h), (i), and 12(2)(b) actually are. So perhaps I could obtain those before we go into Committee of the Whole.

Some of the sections are not going to be included in the AISH Act but then go into regulations. One in particular is the review. Now, the fact that this was reviewed was because it was legislated. It had to happen in 2004. I feel that at least a time frame should be legislated. I certainly think that it should be done at least every five years, and it should be legislated.

I also feel that the financial administrators should be legislated. I think that there should be behaviours put on the persons, either the administration or perhaps the financial administrators, that would be working to help people who can't do it on their own. It could well be the public guardian that has to look after these people, but I think that it should be legislated. There has to be some way that we can look at it without having to try to fight with FOIP all the time to get exactly, very clearly – so the people actually have something to hang their hats on when they try to fight a system that isn't always as kind as it should be.

Thank you.

**The Acting Speaker:** The hon. minister for seniors.

**Mrs. Fritz:** Thank you, Mr. Speaker. I'm pleased as well to speak to Bill 21, the Assured Income for the Severely Handicapped, AISH, Act, 2006, because it is a very important piece of legislation. I'd like to thank my colleague the hon. Member for Strathcona for sponsoring this bill. As you know, through his responsibility as chairman of the Premier's Council on the Status of Persons with Disabilities he has become well known and respected for his interest, his knowledge, and his insight on the needs of Albertans with disabilities, and I appreciate that very much.

As minister responsible for the programs that serve adults with disabilities in our province, I believe that Bill 21 and the forthcoming regulations will continue our government's work to renew the AISH program and make it more responsive to the unique needs of persons with disabilities. When our hon. colleagues from Strathcona, Calgary-Nose Hill, and Calgary-Bow reviewed the AISH program, one of the things they found was that the language, as was mentioned earlier, within the AISH Act and regulations was in great need of being updated. The original AISH Act was written in 1979, when the program first began, and back then it was based on welfare legislation, which was very prescriptive and limiting. As a result, the language and the tone of the existing act do not reflect our

renewed direction for the program as we move from an income support focus to a disability support focus.

Bill 21 addresses this renewed direction by modernizing the AISH legislation that was written 27 years ago. This renewed act will also make the AISH program more responsive to the unique needs of persons with disabilities by focusing on their abilities and assisting them in becoming as independent as they possibly can. Mr. Speaker, that is what all of the changes in Bill 21 are about: making the AISH program more responsive and flexible to meet the unique needs of persons with disabilities.

That goal is one of the reasons why in November 2004 the Premier created the Ministry of Seniors and Community Supports. For the first time many of the government programs for persons with disabilities were placed under one ministry, and this new ministry structure has given us the opportunity to co-ordinate our programs to support individuals in the best way possible. I know that it is important to persons with disabilities, their friends, and their loved ones. Bill 21 allows us to continue to improve the co-ordination of these programs and services by consolidating legislative provisions related to the AISH program under one ministry.

Mr. Speaker, the updated language and improved program co-ordination outlined in Bill 21 are mirrored by our government's investment in the renewed AISH program. That renewal includes a significant investment in the program to implement the many positive changes we have made over the past year, and that investment was unprecedented in the program's 27-year history. This program is about people, not finances. Government investment has proven to have had a direct impact on the quality of life for individuals. I think it is important to note that AISH clients themselves see this as a true renewal of the program.

As my colleague from Strathcona has noted, Bill 21 will also change the reporting and appeal structure for the AISH program. Making the reporting process for clients more flexible will also cut down on administrative paperwork, which will reduce the number of errors and, in turn, will reduce overpayments and underpayments to AISH clients. That is something that I think everyone here would like to support, Mr. Speaker.

This legislation will reflect our government's commitment to people with disabilities, as I said earlier, by updating the language. It will allow for more flexible reporting and appeals processes and reduce the number of errors that result in overpayments, allow for health benefits to support the high medical costs to people with severe disabilities who are not eligible for AISH because of their income level, and enable third-party payments if it benefits the client and they have consented.

Mr. Speaker, Bill 21 will enable our ministry to carry on with this important work to make real and significant changes to the AISH program. This bill represents the future of the AISH program, and I'm confident it will make a difference in the lives of persons with disabilities in our province.

4:50

Before closing, I'd like to thank the Member for Lethbridge-East for your thoughtful comments. I want you to know that I was listening very carefully. I will read *Hansard*. I will try, through the hon. Member for Edmonton-Strathcona, to have those answers that you are looking for in Committee of the Whole. You had some good ideas. There were two there that I liked that you had presented, so thank you.

In closing, Mr. Speaker, I'm respectfully going to request the support of all members for this very important bill as I believe it will enrich the lives of our AISH clients. So thank you.

**The Acting Speaker:** Standing Order 29(2)(a). Any questions or comments?

There being none, the hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much, Mr. Speaker. I see this bill as kind of a baby-step solution for a giant problem. I'm pleased that we're heading in a positive direction, but the reality is that when we're finished . . .

**An Hon. Member:** One-term wonder.

**Mr. Chase:** We'll see about that.

What's happening here is that we've defined dignity as \$12,000 a year plus \$400 if the person is sufficiently able to do some work outside their home, and to me that's a pretty limiting definition. I'm concerned that it took so long for this government to recognize how far in the hole these individuals were, and my concern is that this proposed Bill 21 doesn't have an automatic market-basket measure cost-of-living allowance increase. How many more years will it take either until we have a new government or we have a realistic add-on on a yearly basis? These small amounts of increase from \$850 to \$950 and now up to the whopping sum of \$1,000 per month are very quickly eaten, as was previously mentioned, by costs such as rent increases, utility increases.

Basically, it appears that we're giving, but other people surrounding them are taking away. If the government as part of this bill could have some sort of rent control expectation or took into account the selection of where the person was housed to keep landlords from preying upon these most vulnerable of citizens, I would be much more pleased.

I believe that a lot of the action the government took was the direct result of the class-action suit. I know that there are members, including the minister responsible for this area, who have big hearts, and I do appreciate that. It's not a question of, you know, white knights and dark knights. We all have our various sides. But more needs to be done.

The Alberta Association for Community Living, which works with a number of people on AISH, has only received a 4 per cent raise in the last 16 years. People working with PDD, persons with disabilities, had a limited raise last time, I believe in 2002. So it's not only the people who are on AISH that are struggling to make it financially; it's the people who are attempting to support them.

There are little things that we could do that would help in the process. In some cases instead of requiring the PDD clients or the AISH clients with sometimes very major physical disabilities to go downtown to pick up their cheques, we could make it easier. If we're worried about the tracking of the funding, we all have constituency offices, so here's the thought: have the cheques sent to the constituency offices for more convenient pickup by our clientele. [interjections] Well, I'm very concerned about how far AISH recipients have to travel and the impediments. There has to be a better system, a community outreach for getting the money to the people in need.

Something else that would help – and it would be rather inexpensive but, again, it would require some government support and funding – would be to make the AISH recipients' bus pass at the same cost as the seniors' bus pass, which in Calgary was \$35 a year as opposed to \$35 a month. This would be a small break, but it would definitely help.

The other obvious note in terms of if we want to talk about just strictly monetary efficiency is that it's considerably cheaper to keep people in their community, and AISH recipients would much rather be in as normalized an environment as possible as opposed to



institutionalizing them. So I wish within this bill that we would recognize that we are investing a very small amount overall to look after these most vulnerable individuals.

One of the things that bothers me is the way the system works in terms of how people end up on AISH. Basically, if they apply for AISH, my understanding in the past – and the minister can correct me – is that they lost their long-term disability coverage. It just was lost to them. They may have worked for a number of years and then, due to some unfortunate accident or illness, were forced onto AISH. The insurance companies to which they had paid premiums for years and years and years cut them off as soon as they go onto AISH.

Another sort of, you know, “You’ve been kicked once and now you’re stepped on,” is that AISH recipients are prematurely forced, basically, to go on Canada pension. This is particularly hard for people who end up on AISH after having worked for 30 years or more and are forced to go prematurely into drawing funds from their Canada pension. So I wish we could co-ordinate the various levels of benefits. AISH should be a sort of topping up rather than a minimal amount of funding.

I am concerned that this bill in its current format may not make it through this House because it was presented as a private member’s bill.

**Some Hon. Members:** No, it’s not.

**Mr. Chase:** Oh, sorry. I stand corrected. I am so glad that it’s a government member’s bill. I was mistaken. By giving it the authority of a government member’s bill . . .

**Some Hon. Members:** It’s a government bill.

**Mr. Chase:** Thank you. And again I praise you for taking the most vulnerable people on AISH and recognizing this.

**The Acting Speaker:** Hon. member, it would really help if you could direct your comments to the Speaker.

**Mr. Chase:** Oh, yes. Thank you, Mr. Speaker. I need an Annie Oakley mirror so that I can see the people I’m talking to, but I understand the process.

I am very pleased that this is a government member’s bill. I gladly accept the embarrassment of my confusion over this government bill because it recognizes the vulnerability of AISH recipients. It just doesn’t go far enough. I will be supportive of this bill and its baby steps. I would like to see yearly updated market-value, cost-of-living allowance cheques built into this bill, and will probably be suggesting such things in the form of amendments.

Thank you, Mr. Speaker.

**The Acting Speaker:** Standing Order 29(2)(a). Any questions or comments?

There being none, the hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Speaker. I rise with great interest to make some comments in second reading on Bill 21, the Assured Income for the Severely Handicapped Act. To my understanding this act is replacing some old legislation, providing some new flexibility to better respond to the needs of Albertans with disabilities, who are amongst our most vulnerable citizens here in the province.

5:00

The new legislation says that it’s updating the language, improving reporting. Now, I’m not entirely sure how the reporting

procedures are in fact improved with this new bill, but we perhaps can look to the regulations – I don’t know – to see if that is where we might see the improvement in regard to reporting. This AISH Act hasn’t been seriously updated for more than 25 years, so we’re glad to see some changes. We certainly do applaud this long overdue increase to AISH payments that was announced last year, and we look forward in the new budget to see more such increases that would meet the rise in inflation, the cost of living, the realities of individuals living on this very, very limited monthly budget.

We do have some questions regarding this bill that we see here before us this afternoon. When the hon. Member for Strathcona introduced this bill, he stated that “this act replaces and updates the current legislation and, along with its forthcoming regulations, will provide the AISH program with increased flexibility.” As no less than many dozens of sections and subsections of this bill refer to regulations, I would ask if it was possible for this Assembly to see some of these regulations so that we might better understand just exactly what he means by this and how we can support this legislation, in fact, by seeing what the regulations have to say.

I guess you see my point, Mr. Speaker. I do find it a bit odd, to say the least, that in light of the class-action suit against the government for overpayment recovery and underpayment issues, the current proposed bill should allow these same important issues to remain under directorial control in the regulation part of this act. Again, what processes and guidelines would be in place to ensure that the government doesn’t misstep again, as they did with this very large class-action suit that we find pending against the government right now?

You know, the original act made a distinction between facilities and institutions and denied benefits or payments to persons living in institutions. The proposed act doesn’t mention institutions at all, and we’d like to know if that distinction has now faded into regulation or obscurity or what exactly that distinction is. So that is a worthwhile thing for us to be watching for.

Lastly, if the MLA AISH Review could send a questionnaire to every AISH client and make available that same questionnaire online, accept other written submissions, consult with 4,000 disability organizations and individuals, hold two public meetings, speak to over 18,000 people apparently, and in the end make public their findings before beginning the legislative review, all to begin a much-needed review affecting many tens of thousands of people in this province, then my question, obviously, Mr. Speaker, is: why can’t Albertans expect the same level of commitment or consultation to review a much larger program, our public health care system that affects well over 3 million people?

So, Mr. Speaker, certainly it’s welcome to see some activity in regard to our AISH recipients here in this province. I know that we have underrepresented the needs of these people for far too long, and I would just like to close by reminding everyone that but for the grace of God or whatever you happen to believe in, we all can be in that same position of need and of requiring assistance, and it’s our duty to remind ourselves that these people who are requiring special assistance are everyday individuals who have run into a series of circumstances or medical problems or whatever it is that have put them into this position. We as a caring society must make sure that we look after their needs and their wants, and that is a measure of what sort of society we are.

Thank you, Mr. Speaker.

**The Acting Speaker:** Standing Order 29(2)(a). Any comments or questions?

The hon. Member for Edmonton-Ellerslie.

**Mr. Agnihotri:** Thank you, Mr. Speaker. It's my great pleasure to rise and debate on Bill 21, Assured Income for the Severely Handicapped Act. This act will replace the existing AISH Act and consolidate AISH-related legislation under the Ministry of Seniors and Community Supports.

It is expected that changes in this act will increase flexibility in reporting income and result in fewer incidents of overpayments and underpayments, likely in response to the \$100 million settlement reached in December 2005. This act outlines the appeal process for individuals required to repay benefits because of accidental overpayments. Clients will have access to the Citizens' Appeal Panel to review an overpayment before a debt is assessed and a collection action is taken. This act will allow health benefits to be provided to disabled individuals who do not meet the income eligibility requirements but face financial hardship because of their high health costs.

It is very important to discuss a little bit of background of the AISH program in detail. Mr. Speaker, about 6.4 per cent of Alberta's population between the ages of 18 and 64, totalling 205,000 people, have a disability; about 2.4 per cent, 75,000 people, have a severe disability; 1 per cent of Alberta's population, which is 32,000, currently receive the AISH benefit; 32 per cent receive AISH because of mental illness, 23 per cent because of developmental disabilities, and 45 per cent because of physical disabilities. The caseload has increased from 16,368 cases in 1994-95 to 31,450 in the year 2004-05. In the year 2005-06 AISH program funding was \$488 million. It is projected that in 2007-08 program funding will reach approximately \$606 million. Albertans on AISH receive a monthly allowance of up to \$950, \$1,000 as of April 1, 2006, and the personal support benefit for raising children, health benefits like premium-free Alberta health care insurance, AADL copayment fees, prescription drugs, eye care, dental care, emergency ambulance services, and essential diabetic supplies.

In the year 2004 an AISH review committee was established to review the AISH program because clients and stakeholders indicated that the benefits were too low and the program was not meeting clients' needs. There was also a legislative requirement to review the AISH Act in 2004 to identify ways to make the program more responsible to clients' needs.

5:10

A review guide was sent out to AISH clients and disability organizations and was made available to the public. The results indicated that almost every respondent identified the need to increase the AISH financial benefit. Ninety-six per cent wanted to see additional benefits for clients with unique needs beyond the cash benefit and health care coverage. Eighty-four per cent supported having medical benefits separate from income support. Eighty-three per cent supported increases to the employment earnings exemption rate.

Mr. Speaker, many of the recommendations have been adopted by this government since the review was completed. Most notably, there has been an increase in the monthly benefit from \$850 to \$1,000 effective April 2006.

My debate would be incomplete if I didn't talk about the background of the lawsuit details. In December 2005 the government of Alberta settled a class-action lawsuit allocating \$100 million for the victims of decades of illegal debt collection processes. The government was accused of arbitrarily interpreting its own policies and legislation in order to recover overpayment as far back as possible. Legislation dictated that when collecting an amount over \$500 up until 1983 and over \$1,000 after that, the government needed a signed repayment agreement or had to go

through the court to recover the money. The government instead went against its own policy and began arbitrarily docking clients for overpayments caused by administration errors.

The new policy allowed the government to avoid court in cases where there was no signed agreement and simply start repayments of future benefit cheques. For years deductions were made without any judicial oversight. In a May 1999 court case the government acknowledged that it could not make these deductions, but the practice still continued until the year 2004, when the government changed its policy to make this practice legal. It allowed for debt to be recovered without going through a court process or securing an agreement with the client. They also denied clients full compensation when they were underpaid, limiting them to six months of payments. The recipients who received less money than they should have were allowed to recover six months' worth of their losses even if the underpayment had been going on for years and was the result of administrative mistakes.

Mr. Speaker, many of the changes in this act will increase flexibility in the AISH program, especially the health benefit provision; however, we should be cautious and suspicious that so many significant provisions are being moved to regulation. Transparency and accountability should be this government's number one priority, especially considering their track record on this issue. We want to voice our commitment to providing client-friendly, flexible programs that meet the needs of disabled Albertans, but we also need to be aware that in order to restore public confidence in the provision of the AISH program, changes must be made in an open and accountable manner. It is essential that any changes to the AISH program make the process more client friendly, minimize costs to clients, and demonstrate flexibility and simplicity. We are opposed to details being made by regulation, especially since this government has a history of betraying the most vulnerable members of our society through decades of illegal debt collections. We hope that changes to the AISH Act were made with the needs of the clients in mind and reflect a change in attitude towards disabled people by this government. I welcome the move by this government. I commend the sponsor, the Member for Strathcona, for introducing this bill. I support this bill in principle.

Before I conclude, I want to say a little bit. I met a constituent yesterday, and he was complaining about the money. I mean, although the total amount of money they've received since April is about \$1,000, he's not happy with that. He believes that the government should review the case every year and that they should get the benefit like other disabled people in Alberta. The review was due for a long, long time, and the Alberta government should consider this case very seriously. They have sacrificed a lot in the past. The Premier admitted this many times, and it is about time to consider them very seriously.

Thank you very much.

**The Acting Speaker:** Standing Order 29(2)(a). Any questions or comments?

The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. Just a couple of points I'd like to get on the record during second reading of Bill 21, the Assured Income for the Severely Handicapped Act. There have been a number of speakers that have spoken prior to me about the good work that has been done in this act and in recognizing how onerous some of the old legislation was towards our vulnerable people.

A couple of points I'd like to make. What I'm not seeing in this act is any attempt to index AISH. Considering that we as MLAs in

this House are the beneficiaries of an indexing which attaches any increase we receive, or decrease, I suppose, in the Alberta weekly wage, I would really like to see the same kind of indexing happen for the AISH benefit amount. What tends to happen here is that it's not indexed. It doesn't come up year after year after year, and all of a sudden it's a huge amount of money that's being considered, and the government balks at it. Really, if we looked at an incremental increase all the way along tied to something, inflation, the Alberta weekly wage – there are a number of things that it could be tied to – then it's a smaller incremental amount and keeps everybody up to speed and benefits people very immediately. It helps them deal with the increase in their utilities and other inflationary costs.

The second thing I'd like to see that I don't see in here is a legislated review. I think that once a year is too often, probably even every two years. I'm thinking three years might be appropriate, but I'll leave it up to the government. I think there should be a legislated review of the entire program. Things do shift and change in this province, and to just leave it out there until somebody manages to drag this back up again out of the depths of the swamp to have a look at it is really putting an expectation on a vulnerable group of people to be able to cope with all kinds of things which, frankly, we don't really expect out of anybody else. I mean, unions renegotiate their contracts every year or every several years. As I said, we as MLAs are indexed. So I think it's important that we do look at all the aspects of the program on a regular basis, whatever is appropriate there. I'm suggesting three years.

5:20

I'd also like to outline my concerns about the amount that is being moved into regulation. The old AISH Act is essentially being reinvented, and there are a number of sections that have been moved straight across from the old act into this one. Here are the sections that have not been moved across and are now being included under regulations, not in the legislation: employment training programs and services, asset testing, exempt assets, deemed assets and income from assets, changes in circumstances, disentitlement to benefit, application of Income and Employment Supports Act, financial administrator, confidentiality of information, and as I mentioned a review process. All of those were under the legislation in the old act. Now they are coming under some kind of regulation.

The problem with a regulation is that it does not come before this Assembly. There is very little opportunity for the public or for our constituents who are AISH recipients to have an opportunity to comment on it, and by not having it come in legislation, it makes it really difficult. Regulation changes can be made. They're published in *Alberta Gazette*, which comes out I think twice a year. It's very difficult for citizens to be able to find. Frankly, it's not incredibly easy for members of the Assembly to track down. So it makes it very obscure and difficult to find out what changes have been made that affect their lives and gives them almost no opportunity to respond to what is probably presented to them as a *fait accompli*.

I'm looking in the enlarged section that appears in this bill outlining what the cabinet can make regulations on. In particular, I would like details from the minister on what the regulations will

look like. I'd like to get those before we actually pass this legislation, not sometime a year or something down the road when it comes out in *Alberta Gazette*. I'd like to know what the ministry is considering now – they must know, and if they don't know now, we've got a much bigger problem on our hands – in particular, “respecting the circumstances in which a director may provide, refuse, suspend, vary, or discontinue a benefit”; “respecting the appointment and duties of a financial administrator”; “respecting requirements to repay under section 7, including the circumstances in which a director does not have to require repayment”; “respecting underpayments”; “respecting the collection of debts due under section 9(2)(b).” This is specific to the minister. So we've now got two sets of regulations that can be made. One set of regulations can come through the cabinet, and the second set of regulations can simply be done by the minister, which is even harder to track.

There are three regulations that are now being empowered under the minister: “respecting applications for benefits”; “respecting appeal panels, appeals, and the decisions of a director that are exempt from appeal”; and finally, “respecting the transition of any matter from the previous legislation.” That's a huge field to play in, Mr. Speaker.

So I would like some detail from the minister responsible on what is being anticipated here. I would encourage her to table the draft regulations in the House so that we can look at those at the same time as we are considering support for this particular bill because this causes me great concern. This government has a real habit of creating these shell bills. To a great extent when you look at what's being moved out of the legislation into regulations, this becomes a huge shell bill. For all the other good things that have been done here, when I weigh that in balance with the potential for, frankly, abuse and a lack of transparency and openness and accountability from the government, it gives me great concern about what's being anticipated and planned here.

Those were the points that I just wanted to get on the record as part of second reading. I will look forward to hearing back from the minister with the specifics of the requests that I've made here.

Thank you very much, Mr. Speaker.

**The Acting Speaker:** Standing Order 29(2)(a). Any questions or comments?

The hon. Member for Strathcona to close debate.

**Mr. Lougheed:** Question.

[Motion carried; Bill 21 read a second time]

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

**Mr. Hancock:** Thank you, Mr. Speaker. I move that we adjourn until 8 p.m.

[Motion carried; the Assembly adjourned at 5:26 p.m.]

