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Second Session

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The Honourable Kenneth R. Kowalski, Speaker

Legislative Assembly of Alberta

The 27th Legislature

Second Session

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Legislative Assembly of Alberta

1:30 p.m.

Wednesday, May 13, 2009

[The Speaker in the chair]

Prayers

The Speaker: Good afternoon.

Let us pray. Guide us all in our deliberations and debate that we may determine courses of action which will be to the enduring benefit of our province of Alberta. Amen.

Please be seated.

Introduction of Guests

The Speaker: The hon. Minister of Advanced Education and Technology.

Mr. Horner: Well, thank you, Mr. Speaker. It's a pleasure to rise and introduce to you and through you to members of the Assembly a group of grade 7 students from l'école Broxton Park school in Spruce Grove. They missed last year as grade 6 students, so they came this year as grade 7 students and were able to participate in your mock Legislature. I might add that, talking to them on the steps before the picture, they told me that their bill was school uniforms, and it passed, so it's interesting that a number of the schools are doing that. They are accompanied by teacher Mrs. Fran Korpela and parent helpers Mrs. Lauri MacKinnon and Mrs. Shauna Specht. I believe they are seated in the members' gallery. I would ask that these bright, young students from Spruce Grove rise and receive the traditional warm welcome of our Legislative Assembly.

The Speaker: The hon. Minister of Aboriginal Relations.

Mr. Zwozdesky: Thank you very much, Mr. Speaker. It's a great pleasure for me to introduce to you and through you to all members here two very special guests, who are seated in the members' gallery. The first is my STEP student for the summer, Mr. Alykhan Rajan, who is in his second year at the University of Alberta. He'll be graduating with expertise in science and in commerce. We want to welcome him and thank him for the work he's going to do.

Second is my trusted and faithful constituency manager, without whom I'd be totally lost, Judi Kendall, who, by the way, is also the president of the Fort Edmonton historical board.

Please rise and receive the warm welcome of our Assembly.

Thank you.

The Speaker: The hon. Minister of Employment and Immigration.

Mr. Goudreau: Thank you, Mr. Speaker. It's also a pleasure for me to rise today and introduce to you and through you to the members of this Assembly staff from the Workers' Compensation Board, government relations office. WCB Alberta is an independent, employer-funded organization that provides cost-effective disability and liability insurance. Workers' Compensation compensates injured workers for lost income, health care, and other costs related to a work-related injury. The staff in this office respond to inquiries from ministers responsible for WCB and the MLAs' inquiries on behalf of workers. They provide a very important service in responding to the inquiries and concerns of all Albertans. I would ask our guests to stand as I introduce them: Ron Helmholt, Ashley Croden, Keri Grainger, Kathleen Ruelling, and Sarah McEwen. I'm honoured to welcome them here today, and I would ask all of the

members of this Assembly to give them the warm, traditional welcome.

The Speaker: The hon. Member for Calgary-Egmont.

Mr. Denis: Thank you very much, Mr. Speaker. It's a pleasure today that I rise and introduce to you and through you to all members of this Assembly two good friends of mine, both strong Conservatives, who are sitting in the public gallery. Firstly, Kyle Franz, who is a PhD student at Queen's University in Kingston, where he expects to finish his PhD in 2011. He's a native of Brooks and a former president of the PC Youth of Alberta. I once served on his executive. He plans to come to Alberta once he has completed.

Secondly, I'm pleased to introduce my STEP student, Matt Gelinas, who is originally from Calgary. He is a fourth-year political science student at the University of Calgary. He is a former staffer of the Prime Minister's office. Despite him having poor judgment in being a fan of the Saskatchewan Roughriders, he is one of the best campaign workers that I've ever seen.

I'd ask that they both please stand up and get the traditional warm welcome of this Assembly.

The Speaker: The hon. Member for Airdrie-Chestermere.

Mr. Anderson: Thank you, Mr. Speaker. I wish to introduce to you and through you to all members of this Assembly Barb and Don Oatway from Airdrie. Barb is currently battling a serious form of cancer, and her courage in doing so has been inspirational. I'm happy to report that she is currently in remission. They are up here to witness the tabling of a petition that Mrs. Oatway has organized, which we will get to later on this afternoon. I would ask them to rise and receive the warm welcome of this Assembly.

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

Mr. Sandhu: Thank you very much, Mr. Speaker. I'm pleased to introduce to you and through you to this Assembly six special guests sitting in the public gallery. Mr. Balvir Boparai is a well-known pop singer in the Punjab state of India. Mr. Boparai is in Canada to promote the Punjabi culture in our beautiful nation, Canada. Balvir escaped from the Indian summer. You can see the colour of his skin. Along with him are other members of the Sikh community: Mr. Malkit Singh Panesar, Mr. Kirpal Singh Padam, Mr. Kuldip Singh Chana, Mr. Balbir Singh Chana, Mr. Avtar Singh Deol. I would like to ask them to rise and receive the traditional warm welcome of this Assembly.

Thank you.

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

Ms Blakeman: Thank you very much, Mr. Speaker. I'm very pleased to introduce to you and through you to all members of the Assembly a very special group of people. We have four of the 10 buffalo gals joining us in the public gallery today.

First of all, I'd like to introduce to you Conni Massing. Conni, would you rise. Conni is a playwright, a television and film screenwriter, and currently the writer-in-residence at the Edmonton Stanley Milner library.

Next, Stephen Heatley, who many of you would recognize as the artistic director for Theatre Network in the '80s and '90s. We've lost him to British Columbia. He is now a professor of acting and directing at the University of British Columbia.

Richard Stuart is one of the very few but very precious full-time

staff members at the Edmonton Folk Festival. He is their administrator.

Finally, Brian Deedrick, who many of you will recognize as the amazing, beloved, and, well, yes, artistic director of the Edmonton Opera.

Please rise again and accept the warm welcome of the Alberta Legislature.

The Speaker: Hon. Leader of the Official Opposition, do you have an introduction?

Dr. Swann: Thank you very much, Mr. Speaker. Today we have with us a very special guest in the public gallery. Mr. Al Kiffiak wrote a letter to me in February expressing his outrage at the unjust policy changes proposed for seniors' health care. Mr. Kiffiak is appalled by the government's plan to put the quality of life of seniors in jeopardy by making it more expensive to acquire prescriptions. Mr. Kiffiak is here today to show this government that seniors deserve better and to witness the tabling of his letter. I'll ask Mr. Kiffiak to rise and accept the warm welcome of the Assembly.

Members' Statements

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

Canadian Home Builders' Association SAM Awards

Mr. Cao: Thank you, Mr. Speaker. I'm pleased to rise today to recognize the Canadian Home Builders' Association, Calgary region, and the recent successes of their 22nd annual sales and marketing, SAM, awards ceremonies. The SAM awards recognize the highest levels of innovation and achievement in single- and multifamily home designs, development, renovation, new products, marketing, and sales, to name a few. Sixty-one awards were presented to members who exemplify the industry's best of 2008. For the first time points were awarded to new homes which were rated and qualified as bronze, silver, gold, or platinum under the Built Green program criteria.

Mr. Speaker, Built Green is an industry-driven, voluntary program that promotes green building practices to reduce the impact that building has on the environment. It benefits the homebuyer, the community, and the environment and is an opportunity for everyone to choose a green future. This program was the vision of the CHBA Calgary region member builders and has grown quickly to become a national program, which continually raises the bar of environmental responsibility.

Both the Built Green and the SAM award programs are prime examples of how one of Alberta's major industries strives to better itself and self-directs for positive advancements to the benefit of all Albertans.

I would like to ask all our members here to join me in congratulating the SAM award finalists and recipients and in thanking the house builders in Alberta for providing Albertans with housing of high quality.

Thank you, Mr. Speaker.

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

1:40

**Lori Irvine
William Smolak**

Mr. Bhardwaj: Thank you, Mr. Speaker. I'm pleased to rise today to congratulate two Alberta teachers who received an award for their dedication to high school students. The Hilton Mierau award of

excellence in off-campus learning is a new award offered by Careers: the Next Generation. It honours educators who go above and beyond their duties to give students the opportunity to connect learning to work. The recipients are Lori Irvine and William Smolak.

Lori has taught at Lindsay Thurber comprehensive high school in Red Deer for 18 years and has been off-campus co-ordinator for the past four years. Her innovative approach to off-campus learning includes using video conferencing to connect students with specialists in different occupations.

William left retirement five years ago to provide a new focus for the off-campus education program at the Vegreville composite high school. He has partnered Vegreville composite with over 40 businesses in the community that accept students for work placements.

Mr. Speaker, these teachers truly understand the value of off-campus education programs, which reinforce and extend and motivate students' learning.

I also want to recognize the work of Careers: the Next Generation, an industry-driven partnership dedicated to developing the careers of Alberta youth. I applaud the efforts of individuals like Lori and William, who make off-campus learning an engaging and successful experience for Alberta students.

Thank you very much, Mr. Speaker.

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

Buffalo Gals

Ms Blakeman: Thank you very much, Mr. Speaker. Today I welcome to the Legislative Assembly a group of western Canadians known collectively and affectionately as the buffalo gals: Conni Massing, Richard Stuart, Brian Deedrick, and Stephen Heatley. Missing from the group here are Bob White, Kevin McGugan, Patti Pon, Bob Erkamp, Tyler Irvine, and Norma Lock.

Now, I've asked them to join me today to celebrate the announcement by Brindle and Glass books that next year they will be publishing Conni's book about the buffalo gals and their Alberta adventures, tentatively entitled Buffalo Jerky.

Who and what are the buffalo gals? Well, you get a sense of them by reading about them in this month's *Legacy* magazine, where Conni has an article entitled the Torrington Eight, which I highly recommend. Essentially, this is a group of 10 western Canadians who explore Alberta: Alberta off the beaten tracks, Alberta by theme, Alberta by region. I think the genesis of this was the annual adventure that Conni and some friends took years ago doing the stamp around Alberta project, where you could travel to different locations in Alberta and get a stamp in your passport book. Now, for 10 years this group of friends, all employed more or less in the theatre, have done what few of us do: they choose the theme or the location, they do the research, they jump in the van and explore Alberta for a weekend every June. I've always been insanely jealous of the fun and adventures that they have and of the stories that they tell. Now, as of next year we can all enjoy these stories.

Thank you for coming to the Legislature, buffalo gals, and allowing me to show you off to all of my legislative colleagues and for showing us a way to have a fun time and celebrate our wonderful province. Enjoy this year's tour.

Thank you.

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

World Day for Cultural Diversity for Dialogue and Development

Mr. Xiao: Thank you, Mr. Speaker. I rise to commemorate a special day for Albertans of every culture and background, World Day for Cultural Diversity for Dialogue and Development. In November 2001 the United Nations adopted the universal declaration on cultural diversity, which designated May 21 as a day to deepen our understanding of the values of cultural diversity and to learn to live together better. World day recognizes the pivotal relationship between culture and development and the role that communication technologies play in that relationship. Through dialogue and mutual respect Albertans of all cultures and faiths can help contribute to the great task of building a stronger, better world for future generations.

Mr. Speaker, I am proud to be part of such a diverse and dynamic group in this Assembly. Together, Albertans of all cultures have contributed to making our great province a beacon of hope and achievement on the world stage. I am also very, very proud to serve as the Member for Edmonton-McClung, a culturally diverse constituency that continually inspires me every day.

Thank you.

The Speaker: The hon. Member for Calgary-Lougheed.

International Day of Families

Mr. Rodney: Thank you, Mr. Speaker. The United Nations has designated this Friday, May 15, as the International Day of Families. My wife, Jennifer, my son, Dawson, and even our puppy, Mac-Gyver, will definitely celebrate the day, and I encourage all Albertans to do the same.

Healthy, supportive families are key to building a strong province, and that's why it's so important for individuals, communities, and government to work together to ensure that families enjoy the support they need to reach their full potential and build a successful future for all. Our government provides numerous programs and services that contribute to building strong families, including family and community support services; parent link centres; services for foster and adoptive parents; support for quality child care; an education system that is second to none; high-quality, accessible health services; supports for seniors and people with disabilities; and so much more.

Mr. Speaker, successful families continue to be our priority, and we're proud of Alberta's diverse and thriving families, who provide children and youth with the foundation they need to become successful adults.

I'd like to thank my family for making me feel on top of the world every day. I'd like to encourage all Albertans to commemorate the International Day of Families on Friday and perhaps every day, and I'd like to congratulate everyone associated with each of our related ministries for their invaluable contributions to our province.

Thank you, Mr. Speaker.

The Speaker: Hon. members, today is also a very special anniversary for the hon. Member for Calgary-Lougheed. Ten years ago today he became one of the very small number of human beings who had the opportunity to view the world from 29,035 feet above sea level, the summit of Mount Everest.

The hon. Member for Calgary-Hays.

Crime Prevention Awards

Mr. Johnston: Thank you, Mr. Speaker. This week is Crime Prevention Week, a time for all Albertans to make crime prevention

a priority and work together towards a common goal of safe and secure communities.

When a neighbourhood experiences a problem with crime and residents become frustrated, it's important to remember that sometimes all it takes to fix a problem is one person with an idea and drive. That person gets others involved. Everyone is looking out for one another, and great things happen. We saw some excellent examples of this last week at the annual Solicitor General and Public Security crime prevention awards. Six Albertans who are stepping up to make a difference were honoured for their involvement with preventing crime in their communities. Earlier this week we had the honour of meeting three of these award recipients when they were introduced in this Assembly. It's inspiring to see the good that happens when ordinary people take ownership and responsibility for crime reduction in their backyards and neighbourhoods.

Mr. Speaker, individuals and community organizations are key partners with police and government in the fight against crime. Every day there are new examples of the excellent job police in Alberta do in preventing and investigating crime across the province. Government is doing its part by implementing key recommendations of the safe communities task force such as adding 300 new police positions, hiring 110 new probation officers, new Crown prosecutors, as well as launching a new program that targets the 15 per cent of offenders who commit 60 per cent of the crimes. We are also developing a gang crime suppression strategy that focuses on intervention, prevention, and enforcement, and a gang summit will be held in June.

Mr. Speaker, this week and throughout the entire year I encourage every Albertan to visit the government website at www.crimeprevention.gov.ab.ca for crime prevention information and suggestions they can use today to help keep their communities safe.

Thank you.

Oral Question Period

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

1:50 Royal Alexandra Hospital Surgery Reductions

Dr. Swann: Thank you very much, Mr. Speaker. The Royal Alexandra hospital, one of the largest and busiest in the province, is having to cut elective surgery by 15 per cent, thus cutting needed operating rooms that were finally running at full capacity. To the minister: how much has the minister told the Alberta Health Services Board to cut in the health system? How many dollars are we looking at this year?

Mr. Liepert: Well, Mr. Speaker, first of all, like on so many occasions with this particular member – most recently I recall him talking about a physician hiring freeze. There was no physician hiring freeze. In this particular case I recognize that the leader is back to his favourite research arm, and that particular research arm is reporting a situation that, quite frankly, is not correct. I asked the CEO, in fact, earlier this week because I expected the question to come earlier, but because it hadn't been made public in the *Edmonton Journal*, I guess that's why – I'll answer the second question.

Dr. Swann: Well, perhaps the minister would enlighten us, then. What is the plan for the Royal Alexandra hospital's surgical services?

Mr. Liepert: Well, Mr. Speaker, what has occurred at the Royal

Alexandra hospital is that in the first quarter of this year they did increase their workload, and they incurred a significant amount of overtime costs. The CEO of Alberta Health Services has a budget that he is attempting to work within, so what he has done by way of a letter – and I would like to at the appropriate time today table five copies of the letter. The letter states very clearly that he has instructed this particular facility to maintain the level of operating surgeries at the same level as at the end of 2008, so there is no reduction.

Dr. Swann: Well, Mr. Speaker, there's clearly a playing with words here. My understanding is that the surgical suites finally got up to full function in the last couple of months. They've been short of staff, short of space. They've finally gotten up to optimal functioning, and now this minister is saying that they're being asked to return to last year's rates. Well, those rates were surely not optimal. How does the minister explain this disparity?

Mr. Liepert: Well, Mr. Speaker, you know, I've heard from this particular leader talking about smart spending in health care, about one day saving, the next day spending. What we've done is we've brought in a budget that is before this Legislature. Our particular budget has increased by about 4.9 per cent. The Alberta Health Services budget has increased 7.7 per cent within that operating budget, which, by the way, is \$500 million more than last year. The CEO is attempting to prioritize where those dollars go, and that is a decision that that board and that CEO will make.

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

Parental Choice in Education

Dr. Swann: Thanks very much, Mr. Speaker. The National Center for Science Education in the United States stated that opt-out policies are a mistake because of the burdens imposed on teachers, the disruption caused to the educational process, and the damage opt-out clauses cause to the reputation of public institutions. While reputable groups continue to protest against opt-outs, this administration's mind has already been made up by fringe religious groups. To the Minister of Culture and Community Spirit: which organizations were consulted during the policy development on the parental opt-out? We already know that Alberta's teachers were ignored, so who is influencing this government?

Mr. Blackett: Mr. Speaker, the people that influence this government are Albertans. There are 3 and a half million of those, and we proudly stand up for them. I met just recently, yesterday, with the Minister of Education, and we had a discussion with representatives of various school boards. We all agree on one thing: the system that works now works perfectly well. If you have a problem with the curriculum, you go to your teachers; you go to your principal; you go to your school boards. There's nothing that we have here in Bill 44 that will change that, sir.

Dr. Swann: Well, if it was fine before, why are we changing it, Mr. Minister?

The parental opt-out will drive away the best and brightest teachers in Alberta, who will not tolerate the conditions this government is creating. Why has the government threatened our public education by imposing such a burden on teachers that many will actually leave for more progressive jurisdictions?

Mr. Blackett: Well, Mr. Speaker, thank the Lord that our teachers are much more sensible than that. They know that they are in one of the best education systems in the world and one of the best provinces, the best countries in the world, full stop. We're not assailing anyone. We are not undermining anyone. The only people who are undermining the integrity of the educators in the teaching profession are the ones that continuously fearmonger, and they happen to be on the other side of the House.

Dr. Swann: Why has the government ignored the rights of parents who do not want their children's education disrupted or compromised by the religious views of others?

Mr. Blackett: Well, again, Mr. Speaker, I couldn't agree more. We're not compromising anybody because of the religious views of others. Religious views have no purview in what we're discussing. With respect to parent rights we're talking about notification and an opt-out clause on the grounds of religion, sexual orientation, and human sexuality. No more, no less.

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

Oil Sands Royalties

Dr. Taft: Thanks, Mr. Speaker. Yesterday we revealed that a major oil sands company is paying 48 cents a barrel in royalties, at least for the first three months of the year. That's a 95 per cent drop in their royalty payments. The government justifies this by saying that royalties are much higher when prices go up, and they are. But the government capped its royalty rate increases at \$120 a barrel. To the Minister of Energy: since the government is sharing in the risks at the bottom of the price cycle, will it lift the \$120 cap at the top of the cycle?

The Speaker: The hon. minister.

Mr. Knight: Well, thank you, Mr. Speaker. Most certainly, with all of the discussion around royalty and the collection of royalty that we've had in the last while, I think it would be interesting to establish just where it is that certain members actually find themselves seated because there is a suggestion now by an hon. member that we should do something about raising royalties at this particular point in time. This same individual not that long ago – I believe he was the leader of a party at that time – said something like: you don't want to kill the golden goose; Albertans depend on this industry.

Dr. Taft: And so they do, so it needs to be well managed, Mr. Speaker.

Alberta's small and mid-sized conventional oil and gas companies are struggling like never before. Since the government has given a 95 per cent royalty break to a very profitable giant oil sands company, to the Minister of Energy: what does he say to the conventional industry, which is under such stress?

Mr. Knight: You know, Mr. Speaker, that's a very interesting question. Quite simply, it's obvious again that the member opposite has not been paying any attention at all to what we're doing. Transitional rates are in place to help exactly the type of people that he's talking about. Besides that, we now have a drilling incentive in place, \$200 a metre, 5 per cent royalty on the first 100,000 barrels of production from a new well. We're doing all of that and more.

The Speaker: The hon. member.

Dr. Taft: Well, thanks, Mr. Speaker. I'm sure the conventional producers are quite delighted.

My question is to the President of the Treasury Board. This government plans to take in 50 per cent more from gambling than from all oil sands royalties combined. Fifty per cent more from gambling than from the second-largest oil reserve on the planet. To the President of the Treasury Board: why is this government depending more on gambling revenue than on all oil sands revenues combined? What kind of priority is that?

Mr. Snelgrove: You know, I guess it would be akin to having something change in the world, and all of a sudden all of the cards and slot machines are gone, and we don't have casinos anymore. Then I would be getting twice as much money from parking tickets as I am from casinos, and that would be something we've orchestrated. The world oil industry collapsed. There was a framework in place to manage that. So where the oil royalties are coming from now – yes, we'd like to have more. But the structure in the AGLC around casinos and gaming has stayed very consistent, and that is Albertans doing what they enjoy doing.

The Speaker: The hon. Member for Edmonton-Highlands-Norwood, followed by the hon. Member for Red Deer-South.

Health System Restructuring

Mr. Mason: Thanks very much, Mr. Speaker. Wait times in Edmonton and Calgary emergency rooms are approaching 24 hours. Now the government is cancelling 15 per cent of elective surgeries at Edmonton's Royal Alexandra hospital. Wait times for hip and knee replacements and cataract surgery will go through the roof. My question is to the health minister. Why have you again failed Albertans, leaving them waiting in pain and darkness because you've cancelled their surgeries?

2:00

Mr. Liepert: Mr. Speaker, nobody has cancelled anybody's surgeries. It's been very clear that urgent care and urgent surgeries will be proceeding as they always have. There is a budget – and I know this particular member knows nothing about budgeting. He wouldn't know how to live within a budget if it were placed in front of him. What we are trying to do with Alberta Health Services is ensure that for the first time in many years we are going to live within our budget, and that is what the Alberta Health Services Board is planning to do.

Mr. Mason: Cutting costs at the expense of surgeries that allow people to see and walk without pain is heartless and cruel. To the health minister: with a \$13 billion budget why on earth can't you and your government provide basic health care for Albertans who need it?

Mr. Liepert: Well, Mr. Speaker, despite the fact that they only want to provide basic health care, we are providing excellent health care in Alberta. Ask anyone who's been in the health care system. There are situations, however, where we have to ensure that we live within our means. We have a budget before this House, which I believe the Legislature will most likely approve, and we're going to live within that budget.

The Speaker: The hon. member.

Mr. Mason: Thanks very much, Mr. Speaker. Well, you tell that to somebody who's been waiting in an emergency room for 24 hours.

It's clear that the Progressive Conservatives cannot be trusted with our health care system. They are so beholden to private interests that they keep trying to wreck public health care. To the health minister: given that the current demolition derby was completely absent from the PC platform in the last election, will you call off your dogs and fully restore our public health care system until you actually get a public mandate to change it?

Mr. Liepert: Well, Mr. Speaker, we had a mandate about a year and a half ago, I believe. Also, I think there was a party that ran in a neighbouring province of ours last night that campaigned on a similar kind of theme, and I think we all know the results.

Gangs and Organized Crime

Mr. Dallas: Mr. Speaker, police agencies throughout the province have made it clear that gangs and organized crime have become a prevalent threat to the safety and security of Albertans. This government has responded with initiatives that are helping police and communities gain an upper hand on criminals. These initiatives include the western Canada gang and organized crime conference, which was hosted in Calgary two weeks ago by Criminal Intelligence Service Alberta, a part of the Alberta law enforcement response team. My questions are to the Solicitor General and Minister of Public Security. What is being done to make sure that police services in Alberta can co-ordinate their fight against organized crime and gang crime?

Mr. Lindsay: Mr. Speaker, this government is committed to ensuring an integrated and co-ordinated response by policing agencies as they keep Albertans safe from gangs and organized crime. One such initiative is the Alberta law enforcement response team, which recently hosted the western Canada gang and organized crime conference. The conference brought together more than 450 experts in criminal intelligence to share best practices in gang crime suppression. This conference also gave us the opportunity to share details of Alberta's gang crime suppression initiative and solicit feedback from experts in the field.

Mr. Dallas: To the same minister: it's interesting to learn a bit about the conference, but how exactly would this type of conference support Alberta's fight against gangs and organized crime?

Mr. Lindsay: Again, Mr. Speaker, crime knows no boundaries. Integration and collaboration amongst police and communities is the key to success in our fight against gangs. Conferences such as this are critical to ensuring that our response to gangs and crimes is co-ordinated effectively across provincial boundaries. They provide valuable information regarding emerging trends about gang culture and related criminal activity in both Canada and the United States. They also give intelligence officers, police, and probation officers another opportunity to network, share information on techniques to combat gang violence.

Mr. Dallas: To the same minister: well, sharing is great, but did we come up with some solutions to gang crime as a result of this conference?

Mr. Lindsay: Mr. Speaker, this conference confirmed that Alberta is very much on the right track when it comes to fighting gangs and organized crime. We're moving to better integrate and align police

responses to gang crime by building on the current ALERT model, which is proving very successful in fighting organized crime and Internet crime. Premier Stelmach's commitment to add 300 new police officers over three years is also significantly increasing police resources in the province.

The Speaker: You know, you made a faux pas.

The hon. Member for Calgary-Mountain View, followed by the hon. Member for Lesser Slave Lake.

Seniors' Pharmaceutical Plan

Dr. Swann: Thanks, Mr. Speaker. The government's new plan for seniors' pharmaceutical coverage has missed the point. Selectively targeting sick seniors for drug costs is discriminatory and un-Albertan. To the minister of health: will the minister commit to further review this legislation to address the concerns seniors have brought forward? You have not completed your work, sir.

Mr. Liepert: Mr. Speaker, we have listened to seniors in Alberta, and we have announced a revised seniors' drug plan that will take effect on July 1, 2010, whereby some 60 per cent of Alberta's seniors will be better off than they are today. Under that plan 80 per cent of seniors' drug costs will continue to be picked up by government.

Dr. Swann: Will the minister also admit that single seniors who earn between \$12,000 and \$21,000, considered relatively low income in this province, are actually worse off under the revised plan as opposed to the first draft of his plan?

Mr. Liepert: Well, Mr. Speaker, there's something wrong with the member's math because that particular senior today is paying 30 per cent of a prescription up to a maximum of \$25. Under the new plan that same individual will be paying 20 per cent of the cost of a prescription up to a maximum of \$15. So I'd ask him how he sees that as being worse off.

The Speaker: The hon. leader.

Dr. Swann: Thank you, Mr. Speaker. What plans does the minister have for the seniors who need life-saving medications and find the costs beyond their reach?

Mr. Liepert: Well, Mr. Speaker, I'd like to have heard the answer to my question. Obviously, he didn't review the question before he read it because he knows it's wrong.

The Speaker: The hon. Member for Lesser Slave Lake, followed by the hon. Member for Calgary-Buffalo.

Income Support Training

Ms Calahasen: Thank you, Mr. Speaker. I have received many concerns about the duration policy for funded learners under the Alberta Works income support policy of 1995. One of the concerns is that the training period changed from 40 to 30 months. If students require further training after the 30-month period, they then have to wait for four years to receive more training and more dollars. My question is to the Minister of Employment and Immigration. What purpose does this serve for those people who need to get more education?

Mr. Goudreau: Mr. Speaker, prior to 2006 a learner under Alberta

Works or income support could take funded training up to a lifetime – and I emphasize lifetime – maximum of 40 months. After that, they were no longer eligible for any funding. But in 2006 we changed that policy to allow students to take funded training for a period of 30 months. The significant change is that they can come back after a period of four years and receive more funds for additional training. This policy strikes a balance between being accountable to our taxpayers and getting people the adequate training to succeed in the workforce.

Ms Calahasen: Mr. Speaker, if students fail or don't complete a program, they have to wait another four years before they can return to training. I know that when I went to school, I was not perfect. I did not receive the perfect marks. If I failed at least one course, I wasn't kicked out of school, nor was I told that I couldn't access funding. To the same minister. This is really a harsh policy and a harsh penalty. Why would we continue to support this outdated policy?

The Speaker: The hon. minister.

Mr. Goudreau: Thank you, Mr. Speaker. Our department is committed to the success of students. Our staff and students work together on a service plan that sets the direction and goals that they have on their coursework. Students must also be accountable and responsible for their studies in the program that they've registered in. Our staff can intervene on behalf of a student if that student is experiencing difficulties. We can change courses, and it is possible to have that organized. Students who fail a course may take the course on a part-time basis.

The Speaker: The hon. member.

Ms Calahasen: Thank you, Mr. Speaker. That's really great to hear, but when a student doesn't follow through and complete their courses on time, they are not provided with further funding for at least another four years, as I indicated. My question is to the same minister. How is this helping the students, especially in depressed areas, and the Alberta taxpayer, as he indicated, if they are forced to go back to SFI, if that's all they've got? What course of action can they take?

Mr. Goudreau: Mr. Speaker, students who don't complete their course in the required time are considered to have left that particular course. They have left their service plan. I agree that they have to wait the four years to be eligible for funded training again, but under really extremely extraordinary circumstances individuals may be funded for training again before the four-year period has elapsed. We want to confirm to those individuals that in both the school situation or in the workforce they have individual responsibilities that they should adhere to.

2:10 Mandatory Disclosure of Gunshot and Stab Wounds

Mr. Hehr: Mr. Speaker, the province's vision of reducing crime is contained in the safe communities task force, and having recently reviewed the document, I could not find anywhere therein the enlisting of health care professionals to act as surrogate detectives for our police forces. To the Minister of Justice: can you tell me how having health care professionals provide information about individuals' gunshot or stab wounds, most of which are self-inflicted, helps our communities get to the root cause of crime?

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

Ms Redford: Thank you, Mr. Speaker. The great thing about the province's safe communities plan is that we had a great task force, that put together 31 recommendations under the leadership of an hon. member in this House. We are not restricted, in our view, to those 31 recommendations. We believe that this policy is a way forward for all people in Alberta to feel better in their communities and for us to partner with them in the context of building safe communities.

I will answer the second part of the question once I get asked the second part.

Mr. Hehr: In addition, court an accused must plead guilty as a precondition to entry into the program. To the Justice minister: with the proposed approach why would an accused plead guilty to a substantive offence if they might be then liable for associated medical costs?

The Speaker: The hon. minister.

Ms Redford: Thank you, Mr. Speaker. In terms of the partnership that we have with Albertans, we believe it's important for everyone to understand that they have an obligation to be part of building a safer community. We believe that it's very important for everyone who's involved in the medical system, who already has an obligation with respect to the reporting of child abuse, to also be involved in helping police and helping the community to find out what's going on in the community to get to the root causes of crime.

With respect to our approach to addiction treatment it's very important that we understand that people who are coming to court can with the help of social workers, Crown prosecutors, and their own defence counsel acknowledge that they need help, and we're there to provide programs that will help them.

Mr. Hehr: Well, thank you for that answer. Mr. Speaker, I guess a lot of times the people in our criminal justice system are both victims of crime and criminals themselves, and they often need treatment for addictions and mental health issues. Turning to medical professionals and health care facilities and agents of the state: well, these are diverging goals. Can the health minister tell me who from the Alberta medical community was consulted in these policy developments?

Mr. Liepert: Mr. Speaker, I can tell you who was consulted. It was Albertans, and they're fed up with crime. Despite the fact that this member tries to portray himself as some kind of a crime fighter, I'd like to see him support this bill for once and actually show that he is a crime fighter.

The Speaker: The hon. Member for Strathcona, followed by the hon. Member for Lethbridge-East.

No-zero Grading Policy

Mr. Quest: Thank you, Mr. Speaker. My questions are for the Minister of Education. Many schools have adopted a no-zero grading policy, and some members of the public view this practice as unreasonable and potentially damaging to students who find that the real world isn't quite so forgiving of below-standard performance. If we're to assure the postsecondary schools and employers of the calibre of our students, will the Minister of Education establish a province-wide grading policy?

Mr. Hancock: Well, Mr. Speaker, obviously assessment is a very important part of the education process, and teachers are the professionals in the classroom that have to work with students to make sure that they can help those students find their passions, help those students succeed. The question of a no-zero policy is one that's adopted from school to school. There's been discussion about it across the country. But, in effect, it doesn't really matter whether a student gets zero or five or 10 or 15. The issue is: how does a teacher engage with a student in the classroom to encourage them to do their best and to maximize their potential?

The Speaker: The hon. member.

Mr. Quest: Thanks, Mr. Speaker. Public debate is valued by Albertans, but on matters of grades or on reporting to students and their parents, the ministry will have to take a leadership role. Will the Ministry of Education be doing that?

Mr. Hancock: Well, Mr. Speaker, as I said, really, when it comes to classroom performance and assessment of learning, assessment for learning, those processes, where the province is interested in assessment of the system to see whether the system is serving Albertans well and serving our students well. When it comes to the assessment of students with respect to progress, that is the role of the professional teacher in the classroom and the policies that are adopted by a school and a school board to ensure that students are encouraged to learn and succeed.

The Speaker: The hon. member.

Mr. Quest: Thank you, Mr. Speaker. To the same minister. Parents have expressed concern that a no-zero grading policy gives them too little to go on. With this type of grading system, can the minister advise how parents are supposed to know how well their child is performing in school?

Mr. Hancock: Well, Mr. Speaker, the no-zero policy, as I understand it, as it's implemented in various jurisdictions and schools, essentially would deal with specific assignment processes and with a mark on a report card. What's really important is that parents engage on an ongoing basis. With the wonders of technology now we see more and more schools going on a school zone reporting process so that parents can actually log on and find out whether their students have completed assignments, what progress their students are making, and how they're participating. Again, we would encourage parents to engage at parent-teacher interviews with teachers with respect to the progress of their children. It's not simply a mark on a report card that matters. It's the ongoing process of learning, encouraging success, and making sure that parents are involved in that process.

The Speaker: The hon. Member for Lethbridge-East, followed by the hon. Member for Edmonton-Strathcona.

Municipal Government Board Appeals

Ms Pastoor: Thank you, Mr. Speaker. Over the last few years the number of appeals before the Municipal Government Board has absolutely skyrocketed. This administration's solution to reducing the board's workload is to take away a private owner's right of appeal. To the Minister of Municipal Affairs. Presently local boards are made up of local officials. How will the minister guarantee property owners a fair and independent hearing when they cannot appeal the decision to the provincial board itself?

Mr. Danyluk: Well, Mr. Speaker, that particular bill is in front of the House, but I can suggest to you that we are not taking away any appeal opportunities for individuals. In fact, if you would read the bill, it enhances opportunities for individuals to acquire information that individuals need from municipalities. The appeal process is no different than a planning process. The first process is at the local level. I can explain more on the second go-around.

The Speaker: The hon. member.

Ms Pastoor: Thank you. I can't believe that. The minister probably read my mind.

Given that with the proposed changes a property owner can only appeal a point of law to the Court of Queen's Bench and those costs can be very prohibitive, how will these concerns of independence and fairness be addressed under that prohibitive action?

Mr. Danyluk: Mr. Speaker, presently and in the new bill the contents are exactly the same: the only way that you can appeal a point of law is through the courts. It's no different now. It's not going to be any different in the future.

Ms Pastoor: But there was that one step in between where they could go to the province. If the changes are made, Alberta will be the only province with a one-level appeal system whose boards are locally appointed. Why has the minister taken the drastic measures? Instead of improving the current system, it's been rejigged, and there's one less step.

Mr. Danyluk: Mr. Speaker, presently an individual can go to the local appeal process. They also have the opportunity to go on to the Municipal Government Board. What does take place in a lot of situations is that the individuals hijack the first appeal process and go directly to the Municipal Government Board. These are local decisions. The only decisions that are going to be made at the local level are residential and farmland.

The Speaker: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Leduc-Beaumont-Devon.

Groundwater Monitoring

Ms Notley: Thank you, Mr. Speaker. The Council of Canadian Academies' report on water said that 92 per cent of private wells in Alberta don't meet Canadian guidelines for water quality. Now, on Monday the Minister of Environment said that industrial water monitoring won't be reduced, which means that he's got to cut groundwater monitoring, that affects water wells for rural Albertans. When 92 per cent of these wells are pumping poor-quality water, how can the minister possibly think it's okay to cut water monitoring anywhere in Alberta?

2:20

Mr. Renner: Mr. Speaker, I think that what the member is not acknowledging is that groundwater monitoring is an evolutionary process. It's something that goes on over time. You only really get the information that is required to interpret from making comparisons over time. What we're doing is not eliminating groundwater monitoring, but perhaps instead of monitoring every well every year, we may monitor some of the wells every other year. The end result at the end of the day will be relatively unaffected.

Ms Notley: Well, Mr. Speaker, that sounds to me like we're reducing our water monitoring.

Now, First Nations are taking government to court for ignoring them and failing to protect their water resources. Meanwhile, this government is giving industry free access to nearly 90 billion barrels of fresh water a year. To the Minister of Aboriginal Relations: will the minister explain how he can pretend to advocate for aboriginal Albertans when his government ignores their rights but lets industry go on using and contaminating their water?

Mr. Zwozdesky: Mr. Speaker, there's nobody in this government that I'm aware of that's ignoring any aboriginal rights whatsoever. In fact, I was just with the chiefs at their annual meeting yesterday, and we talked about some of these issues. I think the Minister of Environment has clarified what the province's role is. At the same time, perhaps I'd encourage the member to take a look at what the federal role is. We have a joint partnership with respect to the work that we're doing to help improve that circumstance. I've been up and have spoken with these groups at least half a dozen or more times to ensure that that gets done and those treaty rights referred to are respected, and they are.

Ms Notley: Well, Mr. Speaker, unfortunately, it seems that mostly there's a joint partnership in passing the buck.

Now, the recent water report also notes an Alberta Research Council report stating that toxins from tailings ponds are leaking into our water table and aquifers. This government denies the effects this pollution is having on downstream First Nations despite the rising incidence of cancer. To the Minister of Environment: will the minister explain why aboriginal communities should trust that their watersheds are being protected when he continues to insist that development in the oil sands is harmless to the watershed, to groundwater, and to the environment?

Mr. Renner: Mr. Speaker, we've been through this many times before in the past. The fact of the matter is that there are some acknowledged issues with some of the very early tailings ponds, the very first ones using very old technology. In those instances there are collector wells that are in place that will return the vast majority of any seepage back into the tailings pond itself. With the newer technology tailings ponds, the ones that are currently being developed – and, frankly, the old ones are almost entirely retired – the technology is entirely different.

The Speaker: The hon. Member for Leduc-Beaumont-Devon, followed by the hon. Member for Edmonton-Riverview.

Aboriginal Training and Employment

Mr. Rogers: Thank you, Mr. Speaker. One of the main concerns of aboriginal people, like most Albertans, is employment. We all realize that the current economic downturn has negatively impacted job opportunities around the world, so it's not surprising that aboriginal communities in Alberta are concerned about these downward trends. My questions are to the Minister of Aboriginal Relations. What is your ministry doing to help stimulate more job opportunities for Alberta's aboriginal people?

Mr. Zwozdesky: Mr. Speaker, there are a number of excellent programs housed within the Ministry of Aboriginal Relations, one of which is the First Nations economic partnerships initiative. That program alone has supported 109 successful economic partnerships with and amongst the First Nations, involving about 31 First Nations. We also have the First Nations economic development fund, which has provided additional opportunities through dozens of

partnering programs that the First Nations have undertaken from casino dollars. Those two programs alone have helped add hundreds of jobs for aboriginals in Alberta.

The Speaker: The hon. member.

Mr. Rogers: Thank you, Mr. Speaker. My first supplemental is to the same minister. Mr. Minister, how do you know whether your ministry's programs and efforts are helping to increase aboriginal employment opportunities?

Mr. Zwozdesky: Mr. Speaker, we keep a keen eye on the statistics and on information gathered through other means. I can tell you, for example, that in the oil sands area there are over 1,500 jobs, not including construction-related jobs, that aboriginal people are involved in. That is an increase of 60 per cent over the last few years. Similarly, there's another statistic with respect to the trades and apprenticeship area, where we've seen an increase of over 400 per cent of aboriginal people involved in the trades. Finally, we're working very aggressively with the Ministry of Employment and Immigration to help increase our aboriginal workforce plan, and that's succeeding now as well.

The Speaker: The hon. member.

Mr. Rogers: Thank you, Mr. Speaker. Well, Mr. Minister, with the significant growth in this population, what about job skills training for aboriginals and for youth in particular? What is your ministry doing to help engage that sector?

Mr. Zwozdesky: Mr. Speaker, a number of aboriginal youth already receive employment opportunities through some of the programs I've just mentioned, but I just want to highlight one that we're very proud of that's coming up at the end of June in Banff. This will be our first-ever international symposium focused on economic development success strategies for aboriginal people. This is in partnership, by the way, with Treaty 7 First Nations. We're going to feature a special aboriginal young entrepreneurs forum within that particular milieu. The registrations are starting to come in, and I'm very encouraged by that because there's a large number of young aboriginal people who are coming out to learn how to ply the trade and do business in this wonderful province.

The Speaker: The hon. Member for Edmonton-Riverview, followed by the hon. Member for Athabasca-Redwater.

Labour Protection for Paid Farm Workers

Dr. Taft: Thanks, Mr. Speaker. Alberta's paid farm workers have no occupational health and safety protection. When asked about what paid farm workers should do when injured, the Minister of Employment and Immigration told this Assembly that they could turn to the courts. Well, in the public gallery today is Philippa Thomas, an injured farm worker who has paid 15 and a half thousand dollars in legal costs and faces many times that cost before she even could get her case considered. What does the Minister of Employment and Immigration say to Philippa today?

The Speaker: The hon. minister.

Mr. Goudreau: Mr. Speaker, thank you very much for the question. As I've indicated to this House, we've hired a consultant to deal with this particular issue, to delve into it. The consultant will be talking

with farm workers, will be talking with farm owners, will be talking with various businesses that deal with farmers, and will be preparing a report for us to review over the summer and into the fall. We'll make some recommendations from there.

The Speaker: The hon. member.

Dr. Taft: Thanks, Mr. Speaker. Given the tens of thousands of dollars that injured farm workers are forced to pay in legal costs because of this government's policies, does the minister recognize that saying, as he did in here a few weeks ago, that farm workers "have access to the courts as any other Albertan has access" is irresponsible, is unacceptable, and needs to be changed?

Mr. Goudreau: Mr. Speaker, I think I've indicated to this House quite often as well that, you know, it's not the rules and regulations that will make the difference on individual farms; it's the atmosphere of developing a farm safety attitude on farms. That works from both the employee's side as well as the employer's side. Both have to co-operate, and both have to work towards farm safety for each other.

Dr. Taft: Mr. Speaker, that was a shocking comment. The implication there is that a woman like Philippa Thomas is equal to any other worker and is responsible for the damage that she suffered at the hands of an employer.

My question is again to the same minister. He has talked about this consultant many times. Will the minister direct this consultant to personally meet with Philippa Thomas and any other injured farm worker or their family who wants to meet with him?

Mr. Goudreau: Mr. Speaker, we're working with the Ministry of Agriculture and Rural Development, and we are developing the list of individuals that will be met. At this stage we're expanding on that particular list. This afternoon I'm personally meeting with the Farmworkers Union to discuss this very subject, and we'll keep on doing that.

The Speaker: The hon. Member for Athabasca-Redwater, followed by the hon. Member for Calgary-Varsity.

Rural Family Physician Recruitment

Mr. Johnson: Thank you, Mr. Speaker. I've got several rural communities that are experiencing a dangerous shortage of family physicians. This affects my constituents' access to primary care and in some cases is decreasing services in local hospitals and emergency rooms. My question is to the Minister of Health and Wellness. I have some great communities that are working on doctor recruitment committees and investing great dollars in trying to get family physicians to the rural areas. What is this ministry doing to help these groups recruit family physicians to rural areas?

Mr. Liepert: Well, Mr. Speaker, the member is absolutely correct. It is a challenge today. However, there are a couple of programs that the department runs. One is the rural physician action plan, which works with rural communities. In addition to that, there's the rural, remote, and northern program, which is part of the recent agreement with the Alberta Medical Association to actually provide incentives.

2:30

I think, however, Mr. Speaker, we have to look at a couple of other options to fill in some of these roles, such things as the

physician assistance plan that we need to start to examine and hopefully put in place. We need to adopt a model where nurse practitioners have the ability to assist in some of those communities as well.

The Speaker: The hon. member.

Mr. Johnson: Thank you, Mr. Speaker, and thanks to the minister for that answer. I'd like to add that some of my communities are frustrated that qualified and experienced physicians from out of the country must jump through so many hoops and regulations in order to be able to work in their profession here. Again to the same minister: why is it so difficult to get foreign doctors approved to provide services here in Alberta and improve our rural communities' access to these physicians, and what is his ministry doing about that?

Mr. Liepert: Well, the reality is that we have a number of foreign-trained doctors who are working in Alberta. In fact, every time I travel into rural communities, it seems like at least 50 per cent of the physicians are from somewhere else in the world, many of them from South Africa. We need to recognize that it's the College of Physicians and Surgeons that actually registers international graduates. I know that we've been working hard with them to impress upon them the fact that we need to ensure that there are no barriers to approval of these foreign-trained doctors. We also have to recognize that the college has a fiduciary responsibility to ensure that the training these doctors have in foreign countries meets the high standards that we have. That's always a delicate balance that has to take place.

Mr. Johnson: Mr. Speaker, we know we have added more spots to educate Albertans at our universities in medicine, but it doesn't do much good if they leave the province once they're educated. My final question is to the Minister of Advanced Education and Technology. What is the province doing to help ensure that doctors who are trained here in Alberta stay and practise here in Alberta once they've completed their medical training?

The Speaker: The hon. minister.

Mr. Horner: Thank you, Mr. Speaker. Indeed, it's my pleasure to be working with the Minister of Health and Wellness on the health workforce action plan. We're doing things such as the member mentioned, adding a number of spaces for Alberta students in our two medical schools. That in and of itself will help increase the number of doctors that will practise in the province.

In addition to that, we recognize where the hon. member's constituency is. It's very important that we attract rural physicians, so the integrated community clerkship program is funded through my department. I must say, Mr. Speaker, that we've had a recent report from the two medical schools on that clerkship program, which includes a doctor in your constituency. It has been tremendously successful.

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

Support for Children with Disabilities

Mr. Chase: Thank you, Mr. Speaker. The nature of care that not only protects but nurtures children with disabilities in Alberta is of the utmost importance in ensuring that they experience the best quality of life possible. It is therefore essential that there are

appropriate placements and ongoing evaluation of the care that is provided for vulnerable disabled children. To the Minister of Children and Youth Services: given the highly specific individual needs of disabled children, can the minister briefly introduce and follow up on in writing what quality and quantity of training specific to physical or mental disabilities is required for Children and Youth Services staff above and beyond the limited staff members in the family support for children with disabilities program?

The Speaker: The hon. minister.

Ms Tarchuk: Thank you, Mr. Speaker. I will endeavour to get that information for this member.

The Speaker: The hon. member.

Mr. Chase: Thank you. I'll look forward to receiving that information.

Is the minister absolutely certain that all Children and Youth Services staff are adequately trained and have the necessary understanding and experience to provide the proper placements and supports to Alberta's vulnerable disabled children?

Ms Tarchuk: Mr. Speaker, I can tell you that we have some of the most dedicated staff in the province that are dealing with issues related to families with disabled children, and I just want to also stress for the House – and I think everybody here understands – that we do have one of the best programs in Canada. We're known for that. Our FSCD program is very unique. I don't know that there's any other program in this country that offers the wide variety of supports that we do, and we're very proud of that.

The Speaker: The hon. member.

Mr. Chase: Thank you. You can have a big heart and be extremely dedicated, but unless you have the training and experience, that practicality is not going to be there.

What type of follow-up does the ministry conduct to ensure the well-being of disabled children after they've been placed in either foster care or kinship care? How frequently does the support evaluation occur to ensure that the placement and care continue to be appropriate?

The Speaker: The hon. minister.

Ms Tarchuk: Thank you, Mr. Speaker. This response also relates to your last question. I think it's really important to point out with this program that we do survey families to find out what their experience with the program has been. In our last survey 87 per cent of the families talked about this being a very positive program for their family and having a very good impact on their children.

I think another thing that's very relevant and worth pointing out is that we have close to 9,000 clients that are using that program, and on an annual basis we only see just over 20 appeals.

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

May Long Weekend Campsite Preparations

Ms DeLong: Thank you very much, Mr. Speaker. Albertans are getting ready to enjoy the long weekend, and for many of my constituents that means camping. My first question is to the

Minister of Tourism, Parks and Recreation. In light of the new online reservation service does your department have a policy in place to ensure that Albertans can still find campsites at a provincial park without having to spend \$10 to reserve?

The Speaker: The hon. minister.

Mrs. Ady: Well, thank you, Mr. Speaker. The new online campground system has been very successful. We've had a few glitches, but we've booked to date over 14,000 campsites this summer, so I would say very successful. We don't have a specific policy, though, on sites available on a first-come, first-served basis. We usually check out each different campground to see what needs to be done, but most of them as a policy or practice try to have some on-site that you can actually drive to that day.

As far as collecting reservation fees, we've been doing that for 20 years, and that always goes back into the campground system.

The Speaker: The hon. member.

Ms DeLong: Thank you, Mr. Speaker. My second question is also for the Minister of Tourism, Parks and Recreation. Parents of teenagers in my constituency are very interested in temporary liquor bans at eight provincial campgrounds for the long weekend. Are you planning to extend bans to all provincial parks?

Mrs. Ady: Well, Mr. Speaker, we're not planning on having liquor bans for all provincial parks. We have eight campgrounds out there that have proven to be problematic, so we have placed bans on those. As a result, we're seeing families return to those campgrounds where they were not feeling like they could be there and be safe. We want people to be safe and to have an enjoyable weekend, but only eight of our campgrounds will have a ban for the May long weekend.

Thank you.

The Speaker: The hon. member.

Ms DeLong: Thank you, Mr. Speaker. My final question is to the Minister of Sustainable Resource Development. It seems like every May long weekend we have a problem with people tearing up Crown land with monster trucks and ATVs. What is your department doing to protect our precious lands?

Dr. Morton: Mr. Speaker, the monster truck rip-up-the-land crowd had better bring their chequebooks with them this weekend because they're going to meet 280 law enforcement officers out there. Last week we signed a new joint enforcement task force with Tourism and Parks, Solicitor General, Transportation, and the RCMP that's going to put 280 officers out working together to make sure people have a fun weekend, a safe weekend. The people that destroy public resources are going to pay.

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

Support for Community Sports Organizations

Ms Blakeman: Thank you very much, Mr. Speaker. The Minister of Culture and Community Spirit has created a domino effect by reallocating money from the community initiatives program to international development agencies, which were cut when the minister disbanded the Wild Rose Foundation. Other groups who received cuts have also been told that they will be looked after, but the one group not looked after now or before is the sports commu-

nity. My questions are to the Minister of Culture and Community Spirit. Why did the minister choose to allocate the entire \$20 million to the community spirit program instead of using just \$13 million and leaving \$7 million to protect the Wild Rose and CIP programs from cuts?

Mr. Blackett: Well, Mr. Speaker, the hon. member should know that I'm not responsible for the sports community. I'm responsible for communities, community investments. I'm responsible for the not-for-profit sector. But I'm not responsible for the sports community, so I don't understand the question.

The Speaker: The hon. member.

Ms Blakeman: Thank you very much. Back to the same minister. This government has made it almost impossible for sports organizations to qualify for funding through the enhanced charitable tax credit, the community spirit program, both of which are under the minister's jurisdiction, or the Alberta Sport, Recreation, Parks and Wildlife Foundation. Why does the government resist funding community sports organizations?

2:40

Mr. Blackett: Well, Mr. Speaker, we absolutely do fund community sports organizations. I looked at the combination of community investment programs; it's well over \$10 million that went to community facilities programs, so I don't know what she's talking about.

Ms Blakeman: Well, let me help the minister. Given that only 65 out of the 1,500 organizations who were awarded grants under the community spirit program were sports organizations even though they have a huge portion, almost a third, of the volunteer base in Alberta, will the minister commit to reviewing the criteria of this program so that the sports community can be included?

Mr. Blackett: Well, Mr. Speaker, the hon. member does identify one problem. There is only so much money to go around, and yes, we have 19,000 organizations. Yes, about 4,000 of those are community-based organizations. We do the best we can within the resources that we have, just as Albertans do in their own homes, and they expect that of our government.

The Speaker: Hon. members, that was 102 questions and responses. In 30 seconds from now we will continue the Routine.

Tabling Returns and Reports

The Speaker: The hon. Minister of Employment and Immigration.

Mr. Goudreau: Thank you, Mr. Speaker. I'd like to table five copies of my responses to the questions raised during Employment and Immigration's estimates in committee on April 14, 2009.

The Speaker: The hon. Member for Airdrie-Chestermere.

Mr. Anderson: Thank you, Mr. Speaker. I recently met with Mrs. Barb Oatway, whom you met earlier, about her very brave battle with cancer and a new medication called Revlimid, that was recently approved by Health Canada for the treatment of multiple myeloma. Mrs. Oatway has asked that I table this petition urging the government of Alberta to provide Revlimid as a publicly funded choice to patients with multiple myeloma.

Thank you, Mr. Speaker.

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

Mr. Chase: Thank you, Mr. Speaker. I have one tabling from Alison Ainsworth, formerly of Medicine Hat, who continues to be concerned that a golf tournament fundraiser held by the Member for Cypress-Medicine Hat in 2008 was falsely linked to autism support. Alison writes:

I continue to demand the apology that is owed for the conduct of an elected official who, rather than taking responsibility for failed promises and misdirection to a cause, would insult a family that he himself brought into the mix, make the issue about the family's 7 year old child with Autism and the community, and do so in writing to officials who have nothing to do with the family's best interests.

The Speaker: Hon. member, you be prepared for either a point of order or a point of privilege. The hon. member in question is not here today, and I will accept that upon his return.

Mr. Liepert: Mr. Speaker, earlier in question period I referred to a letter from the CEO of Alberta Health Services relative to the question by the Leader of the Opposition. I would like to table five copies of that letter.

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

Ms Notley: Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of six letters from Albertans concerned about the burden the drug plan places on seniors and who are opposed to the means test involved in that plan. The letters are from Sonia Francis, Shirley Swanson, Jim and Roberta Saltvold, G.M. Hoke, Dave Williams, and Miriam Farrington.

Thank you.

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

Ms Blakeman: Thank you very much, Mr. Speaker. On behalf of my colleague the Leader of the Official Opposition and Member for Calgary-Mountain View I'd like to table the appropriate number of copies of correspondence directed to him by the individual who was introduced in the House today. His name is Al Kiffiak, and he is most concerned over the changes to Alberta health care coverage for middle-income seniors.

Thank you very much.

Tablings to the Clerk

The Clerk Assistant: I wish to advise the House that the following documents were deposited with the office of the Clerk: on behalf of the hon. Mr. Horner, Minister of Advanced Education and Technology, responses to written questions WQ 7 and WQ 18, both asked for by Ms Notley on April 6, 2009.

Orders of the Day

Government Bills and Orders Second Reading

Bill 36 Alberta Land Stewardship Act

[Adjourned debate April 29: Dr. Morton]

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

Ms Notley: Yes. It's a pleasure to rise and join debate on Bill 36, the Alberta Land Stewardship Act. This is a very substantial piece

of legislation, with a number of components to it, that has tremendous implications for how things in this province unfold over the next several decades, quite frankly. It's premised, of course, on the land-use framework, which is a document that has been prepared over time by the government with some consultation with a number of different stakeholders.

The principles underlying the land-use framework are in many respects laudable principles. So in theory, then, in principle, this piece of legislation is one which we support because it is, in fact, you know, a vehicle for moving forward on some of the elements that were and are included in the land-use framework. Quite honestly, we need to move forward on many of those ideas because we're behind on many of those issues. I think that we really have a crisis in development and environment and resources across the province right now as a result of our failure to co-ordinate in any kind of substantial way. Should the land-use framework be implemented in a thoughtful and effective manner, it could truly be one of the most important government initiatives ever introduced and could put Alberta quite high up in terms of responsible land-use policy with respect to other jurisdictions.

The concern is that there is a tremendous amount of discretion that exists within this piece of legislation, notwithstanding the length of it. Really, what's going to be the measure of success is how that discretion is exercised. I suppose that at the end of the day that's one of our most critical concerns, that there is so much discretion that rests with cabinet in moving forward on the initiatives inherent in the land-use framework and that that discretion can be exercised while at the same time overruling municipal bylaws and plans, impacting First Nations' issues and rights, impacting upon Métis nations' issues and rights, and having tremendous consequences for private landowners and, of course, for people with an interest in promoting community interests and promoting wise and effective environmental development.

It is a bill, then, where again it's really hard to see what's going to come from it because the measure of the bill in large respect would be a regional advisory plan, one of these plans that the bill facilitates the development of through the regional advisory councils. What we need to do is really see what a plan will look like and see how it will unfold and see how the consultation process took place and see how the various stakeholders believe that their interests were reflected and then see how it is implemented and introduced. Until we see that, we can't know if the grand amount of authority and discretion being given to government through this piece of legislation is a good decision or not.

2:50

Again, the high-level principles are good ones, but it really comes down to how this stuff is implemented, when we get right to it. You know, we certainly have other examples. We know that the government had established CEMA in the lower Athabasca region, and we know that in that case what happened was that government really didn't exercise a lot of its authority to deal with what were clearly competing interests within that regional planning process. So what ended up happening was that large components of the CEMA board left because there were no hard decisions being made, the balancing processes with respect to how those decisions were made were not clear, and ultimately there wasn't a belief on the sense of a significant number of members of the community that their interests were really being heard.

Of course, if you then expand it to how other parts of government consultation have been introduced and pursued – and we've had a great deal of debate on, for instance, the whole concept of whether or not we're actually consulting anybody in any kind of open fashion

on the nuclear issue – the question becomes: how will this be done, and will it be done in a way that will actually bring about the kind of changes that we need? Or will it turn into a defence mechanism for the government so that whenever a problem arises, we're told to wait for a process that is endless yet never resolved one way or the other, or alternatively we're told that, well, it went through a process, and this is what they came up with, that this is the best that we can get? We really, really don't know.

I think part of that comes from the fact that there really are not any kind of substantive planning criteria built into this legislation. We don't have details on the kinds of hard targets the government attempts to achieve in terms of air quality management, greenhouse gas emission management, and land use and water use and all these kinds of things. We know that the principle of cumulative effects is mentioned in the bill – that's a good thing – but that's where it stops. We don't have a real sense of what the hard targets are. We just know that people the government chooses will be consulted, but then the government will ultimately do what it wants to do with it, and in so doing, it will have tremendously broad impact on numerous components of the community. So this is, generally, our concern.

The other thing, of course, is that all along, through the whole process with respect to the land-use framework, there has been a long call for interim measures pending the development of regional advisory plans. I appreciate that the government is moving reasonably quickly, well, reasonably quickly relative to since I've been here, with respect to the lower Athabasca region in that they hope to have a plan in place by the fall. But we have been talking about these issues now for years, and there is no plan in place yet, and there are numerous ways in which development is proceeding and decisions are being made that impact on land use and the environment and all these other issues without there being any kind of cumulative effects assessment and without there being a strong assessment of even what the state is of the environment in those areas on so many different levels.

There has been talk, then, that while the idea of the land-use framework was a good one, there should have been interim measures put in place. There's no mechanism for interim measures in this piece of legislation, and there is no record of interim measures absent the legislation.

Another concern that we will probably talk a little bit more about in third reading is the whole way in which the conservation offsets that are referenced in this piece of legislation can be used. The regional plans are based on watersheds, but it appears as though conservation offsets can be traded between regions, from one region to another region, which would obviously contradict the very objectives behind doing cumulative effects assessment on a regional basis. So we're a bit concerned about that one.

There's also quite an extensive power that is being put forward with respect to the government's ability to impose and/or penalize municipalities in terms of the implementation of this act.

We've also heard concerns from a number of different Métis groups about how this piece of legislation will be integrated with their current land-use rights. We know that certain elements of their land-use rights are excluded from coverage under this legislation, but not all elements of their land-use rights are excluded from this legislation. The concern is: how will those competing interests be measured given the record of the government with respect to dealing with aboriginal issues in general over the last few years?

Finally, the concern, of course, is that the regional advisory council process is so much left to the discretion of government to appoint the regional advisory council members. Of course, just today we saw that the South Saskatchewan Regional Advisory Council was established. It appeared to me to be a group that was

very industry heavy and had pretty low representation from the environmental community.

You know, the whole issue of how one gets to be on the regional advisory council, not to mention the regional advisory council's obligations and criteria with respect to consulting with people within the region and the community and receiving information from people about the implications: none of this stuff is laid out in the act. It's just: "There will be a council. Government will appoint it on whatever basis they see fit. They may do whatever they think is necessary to come up with a plan." It may involve extensive consultation; it may involve very little consultation. We don't really know. Then, of course, notwithstanding all that, the government can just say: "Well, thanks. It's been fun having you here, but we're actually going to go in a completely different direction." So there is a tremendous amount of uncertainty.

While I do appreciate the introduction of a legislative vehicle to potentially move forward with the land-use framework, there is so much discretion, as is usually the case with this government, left to cabinet within this bill with so few criteria set out. The difficulty that we have is that the authority being given to cabinet through this bill and the implications of what this bill could cover are so broad, yet the way in which it would move forward is so without detail and so without clarity. We can't help but have some significant concerns about it.

That's sort of how we'll start on this issue. I will just say again, though, that the principle is a good one. We absolutely support the principle behind it. The key is whether Albertans, members of the Assembly, key stakeholders will be able to engage in the process and whether there will be a sufficient level of transparency and accountability ultimately and mechanisms for people to actually have their concerns and their positions seriously considered by government throughout this process. That is our concern.

In broad principle that's our view of this legislation as it stands at this point. Thank you.

The Speaker: The hon. Member for Calgary-Currie, followed by the hon. Minister of Municipal affairs, then the hon. Member for Calgary-Varsity, then the hon. Member for Airdrie-Chestermere, followed by the hon. Member for Calgary-Buffalo.

3:00

Mr. Taylor: Thank you very much, Mr. Speaker. It is my pleasure to rise and join second reading debate of Bill 36, the Alberta Land Stewardship Act. Since we are at second reading, we are debating the principle of the bill, so I have to say that in principle I like this bill. I think that in principle this is a good bill. Needs some work. Needs some tweaking around the edges. I don't know that I would go quite so far as the Member for Edmonton-Strathcona in terms of finding issues in the bill that need to be worked on, but there are some, and I think our side will be bringing forward amendments at the appropriate time, which is in committee.

Again, I reiterate that in principle I like this bill, and I think it goes in the right direction. Of course, you might not be so surprised to hear me say that since a couple of years ago, in 2007, I introduced a private member's bill, Bill 211, Planning for the Future of Communities Act. My colleagues across the way voted that one down. Shock. Horror. Surprise. They voted that one down. The interesting thing, Mr. Speaker, is that if they had passed Bill 211 two years ago, we would be two years further on in the implementation of a land-use strategy because this Bill 36 is eerily like Bill 211. I want to say clearly that Bill 211 offered at least some inspiration to the members opposite. Well, maybe not the Member for Peace River, who is sitting there shaking his head right now. I would simply point out to the hon. member that denial ain't only a river.

Nevertheless, I myself have to admit that Bill 211 was inspired by a piece of legislation in Ontario, the Places to Grow Act, which I think was a very aptly named piece of legislation. It would have been an apt name for Bill 211. It would be an apt name for this particular Bill 36 because that, essentially, is what this bill is about, places to grow and places to preserve, places to protect. The rough patch that our economy has hit notwithstanding, with the incredible growth pressures in this province over the last several years we've seen now the necessity – some of us saw it earlier than others, clearly – for moving in this direction to come up with a land-use strategy and legislative authority to create regional plans that will implement the land-use framework throughout the province, which is what this bill will do.

You know, as I was preparing to get up and join debate on this today, I was thinking of the number of different ways that I could approach this. There are almost as many ways as there are communities in my constituency, interests of mine, interests of people I know, that sort of thing. You can take it from the approach of a mature inner-city residential community like Cliff Bungalow-Mission in inner-city Calgary, which is a community dating back to about 1910, 1912. It's coming up on its hundredth anniversary. It was originally, at least the Cliff Bungalow side of it, housing for Canadian Pacific Railway workers and managers. The Mission district, of course, is one of the oldest if not the oldest district in Calgary. Folks in Inglewood might dispute that. It's one of the two oldest; let's put it that way.

The residents of Cliff Bungalow-Mission – and I refer to them as one community because they are represented by one community association – are deeply concerned about the ability to preserve the character of their neighbourhood from intense development pressures over the last few years. It's not that they're antidevelopment – far from it – but there are certain characteristics of their neighbourhood, of their community that they want to see preserved. They want to see the opportunity for the development of affordable housing in their neighbourhood.

You know, there are a lot of communities that don't feel that strongly in favour of affordable housing, but the folks in Cliff Bungalow and Mission do. They want to see that when new development takes place, when old housing is knocked down and new housing takes its place – condominium developments, townhouses, more densification of the neighbourhood even though it's pretty densely developed as it is – the new development architecturally respects the heritage character of the neighbourhood, that the mature trees are preserved, things like that.

You can get so far negotiating those things as a community with city hall. You can get so far with an area redevelopment plan. But when you've got something like a land-use strategy and a Land Stewardship Act and a regional plan and within that context a subregional plan and an intermunicipal plan involving, you know, the Calgary region or the capital region or something like that, then you've got something backing you up that helps you preserve and create the kind of character for your community that you want.

Another thing that is a particular interest of mine and has been for a number of years now, which a bill like this can and should and, I think, will address, is the rapid disappearance of our rangeland in southern Alberta. This was an issue first brought to my attention by the Nature Conservancy of Canada I would say about 10 or 11 years ago now, when the Nature Conservancy sounded the warning that the subdivision of our rangeland in southern Alberta was continuing at such a pace that if nothing was done to preserve that rangeland, which is a unique land use and a unique geographical feature, if you will, a unique ecosystem, if I can apply that term here, in Canada, that rangeland would be gone by 2020.

Thankfully, since that alarm was sounded by the Nature Conser-

vancy, work has been done, especially around the area of conservation easements, and this particular bill speaks to that. The Alberta Land Stewardship Act will enable the expanded use of conservation easements, which are voluntary, legal agreements between landowners and a qualified organization like the Nature Conservancy, which is a land trust, or like government to conserve the ecological integrity of a piece of land. The current landowner retains ownership, but the conservation easement is registered on the land title, and then that particular parcel of land is protected under that easement. Those conservation easements have been around in Alberta now for about 10 years. There are about 300 square kilometres of Alberta's private lands under conservation easements right now. That only represents .2 per cent, two-tenths of a per cent, of our private land, but it's a start, and a bill like this allows us to get a good deal farther than that.

There are other conservation initiatives, too: conservation offsets, conservation directives, transfers of development credits, conservation exchanges. I like these tools. These tools will go a long way to preserving not only those ecological portions that are designated or defined as natural or native areas but also those areas which are under some degree of human development, like ranching, and which have a very unique purpose, a unique function, and which in their own way represent a form of conservation and a land use that very much must be protected. As anyone who is even distantly related to or involved with or acquainted with ranching knows, ranchlands these days are much more profitable if you can hive off subdivisions or sections of them, whether that's for acreage development or whatever you're doing, than if you're trying to keep the entire spread going. So there's some good stuff in here, some really good stuff in here.

And, yes, there are some quibbles, some concerns. I think the big one is that there's no mandatory public consultation and, close on the heels of that one, no binding cumulative impacts. The Member for Edmonton-Strathcona has spoken to that angle, I think, and rather than add to it, I'll just concur with what she had to say about the cumulative impacts. The public consultation part, I think, needs stressing. Right now that's a discretionary item in this bill, and I believe it needs to be made mandatory.

3:10

I'll refer back to Bill 211 again, which would have balanced our respect for municipal autonomy with the clear need for a provincial role in support of integrated regional and intermunicipal planning. I mean, we have at this level a role to play as the coach, the quarterback, the head cheerleader, the encouraging and, to some extent, enabling body. The province has a clear role, I think, in ensuring that planning occurs and that a planning process is in place, but fundamentally I believe that those plans, those actual plans, are best developed by local leaders, local citizens with support and backing from the provincial government rather than top-down direction. So I think that's key, and I think as we go forward into Committee of the Whole, we're going to be wanting to talk a good deal more about that in a good deal of detail. I think that public consultation and cumulative impacts need to be made mandatory, and I think if they are, this law will be stronger, a better law.

There are a few other things as well. There appears to be no appeals process in the legislation around the development of regional plans other than cabinet's ability to amend those plans as they wish. I'd like to know the reasoning behind that, and I'd like to question the reasoning behind that, quite frankly.

There are a number of things that the bill says that regional plans may do as opposed to saying what the plans must do. I think as we get into committee study, I'm going to be wanting to tweak some of those.

But, again, we're at second reading. Second reading speaks to the principle of the bill. The principle of this bill, I think, is excellent. The government is on the right track. I don't get to say that all that often, but the government this time is on the right track, in my opinion, and certainly at second reading I'll be voting in favour of this bill.

Thank you, Mr. Speaker.

The Speaker: Hon. Minister of Municipal Affairs, do you want to postpone? Did you want to participate today?

Mr. Danyluk: Mr. Speaker, I'll make my comments during committee.

The Speaker: Well, you're going. I've recognized you now, so go.

Mr. Danyluk: Well, Mr. Speaker, I just have one comment. I'll make my comments during Committee of the Whole. I just wanted to let the hon. member opposite know that, you know, Bill 211 had some good ideas in principle, but it was the detail that gave me concern.

The Speaker: Well, Standing Order 29(2)(a) is now available. The hon. member.

Mr. Taylor: Thank you, Mr. Speaker. I'll take advantage of that because he said he was going to make some comments, and all he made was that one very general statement. This member wants to hear more. He wants specifics. Inquiring minds want to know, Minister.

The Speaker: Sorry. We have a Q and C. The hon. minister was recognized. If you don't want to participate in Q and C, that's fine, but we still have time available for questions and responses. Any other members want to raise a question? No further members?

Then we'll recognize the hon. Member for Airdrie-Chestermere.

Mr. Anderson: Thank you, Mr. Speaker. I am pleased to rise today and speak to Bill 36, the Alberta Land Stewardship Act. I would like to first congratulate the Minister of Sustainable Resource Development and all those who worked on bringing this important piece of legislation forward.

The conservation of our natural heritage is part of the legacy our ancestors bequeathed to us. It is not legislated. It is something that every Albertan is a beneficiary of. We are born with the notion that this land is not ours but belongs to generations of Albertans, present and future.

This legislation proposes to create regional advisory councils of pre-eminent Albertans who will advise the government on economic, environmental, and social goals for each region. Planning and land-use restrictions are nothing new in Alberta, of course. Decades ago the province was split into green and white zones, the former primarily for forestry and the latter for settlements. Until they were abolished in 1995, Alberta had regional planning commissions. They failed because they did not respect landowners and tried to run against their rights in some cases.

Land-use planning in the form of municipal zoning has always existed for subdividing land, and this will not be affected either by this legislation. Municipalities will retain their authority for municipal development plans, area structure plans, land-use bylaws, and making decisions on subdivisions and development standards.

Mr. Speaker, clearly, land-use restrictions and planning have been an ongoing Alberta project. The new regional planning does not

mean creating a heavy-handed, centralized bureaucracy in Edmonton. It does mean, however, that the government will provide the kind of policy direction and guidelines and opportunities that local levels of government cannot. That being said, the most local level of government is the Alberta landowning family. There is no one better placed to determine the best use of their land than the owners who reside upon it.

I am thinking of the thousands of Albertans who ranch not merely as a means of earning a living but also as a living legacy of our western heritage, Albertans like the late Jim Hole, who passed away recently. Jim farmed on ranches east and west of Airdrie all of his life. Even after he sold most of his herd in 1982, he kept a keen interest in ranching and farming, especially in the young people of our area and their 4-H projects. This legislation is about preserving the Alberta that Jim helped to create. It is about preserving our landscapes, protecting our streams, and keeping our traditional agricultural values. All of these can be accomplished while respecting the fundamental right of Albertans to own property.

At first glance much of this legislation may be interpreted as a regression on property rights, but it would be a very large mistake to think so as this bill, in my view, does the exact opposite. It strengthens landowner rights. Bill 36 has provisions for four conservation tools: conservation easements, conservation offsets, conservation directives, and transfer of development credits. I would like to briefly explain what these are and why I believe they will work to strengthen property rights protection in our province.

A conservation easement is a voluntary legal agreement between a landowner and a qualified organization, like a land trust, to conserve a land's ecological integrity. Easements are registered on the landowner's title. A great example of private, small, family-level, and local government voluntary conservationism is the late Doc Seaman's generosity in placing conservation easements on the historic 125-year-old OH Ranch. This was a gift almost as important to Albertans as when Doc helped to bring the Calgary Flames to Alberta during the 1980s.

Mr. Speaker, conservation efforts driven by landowners is the finest example of who we are as Albertans. We are stewards and conservationists at heart. This bill will not change that. This bill will not disrupt these grassroots efforts. The government will not get in the way of the good work done by groups such as the Nature Conservancy of Canada, the Southern Alberta Land Trust Society, and Ducks Unlimited. This legislation will not get in the way of generous Albertans who want to responsibly steward their land.

Another tool in this bill is the conservation offset, that can replace, restore, or compensate for the effects of an activity on public or private land. In early 2008 the Suncor Energy Foundation and the Alberta Conservation Association partnered together to protect habitat in the Winagami Lake area. This was a three-year pilot project that led to 1,750 acres of ecologically significant boreal habitat being secured for conservation. You know, it's a fine contribution to our ecological heritage, in my view.

Another tool, the transfer of development credits, helps direct development away from our protected or conserved land. This can protect agricultural, ecological, or heritage landscapes from urban and rural growth pressures.

Lastly, a conservation directive is a new, nonvoluntary tool that through regional plans will protect, conserve, and enhance landscapes, views, environmentally sensitive areas, or agricultural land, that is important to all Albertans. I would like to take a moment to dwell on this last tool for a second. My constituents and other Albertans have raised some concerns about what these conservation directives might mean for property rights.

Read literally, it basically gives the government of Alberta the power through a regional plan to take an interest in any piece of

private land for conservation purposes. However, all this will be accomplished with appropriate compensation. None of this will happen without landowners being properly compensated for a public good they are asked to provide. This is an important and, in fact, a groundbreaking proposal that ensures that landowners are compensated for being asked to provide a public good even in cases where their land is sometimes not directly affected.

The act protects property rights. Landowners will be compensated for any loss in market value based on principles under the Expropriation Act. This is an improvement over the status quo that placed the costs of conservation for public good on what I would define as the private treasury. The private treasury consists of the funds, monies, and savings that families have privately, of course.

3:20

Some critics may argue that providing mandatory compensation will be a disincentive for government to use conservation directives. Well, that is exactly the point. These decisions have to be done responsibly and must respect the private costs borne by Alberta families that are associated with conservation. No other jurisdiction proposes to protect the rights of landowners the way Bill 36 does.

Another major benefit to landowners is the regional plans themselves. They will provide consistency, stability, and predictability. Lands determined to be candidates for conservation directives will be identified in the regional plans. Formal notice will be provided that will outline the land affected, give a description of the directive, notify the landowner of the right to compensation, describe the application process to the Land Compensation Board, and inform the landowner of the right to appeal any decision.

No longer will landowners be surprised by having parks or other conservation areas created at their expense and at the whim of politicians. If the only way to protect the land is to impose a conservation directive, then the value of the land will be appraised, any impact assessed, and landowners will be compensated for any loss in market value. Landowners will retain title to their land. Often in the past they were expropriated outright, losing lands that may have been passed down through several generations.

Mr. Speaker, the process I have just outlined is game changing. It is an unprecedented victory for the rights of landowners in this province. It will ensure that our province's precious views, landscapes, and lands that we all know and love are preserved for generations to come. I am very excited to see this bill proceed. I support it, and I urge all members of this Assembly to support it as well.

Thank you.

The Speaker: Hon. members, Standing Order 29(2)(a) is available. Anyone wish to participate?

Then I'll recognize the hon. Member for Calgary-Varsity.

Mr. Chase: Thank you, Mr. Speaker. I support the nature or the underlying principle of land protection and land designation. I see where Bill 36 leads toward the eventuality of a land-use framework, and I want to recognize the hon. Member for Calgary-Currie, who referenced his previous private member's Bill 211, that, as he noted, would have taken us in this direction two years ago had it been adopted.

As the hon. Member for Airdrie-Chestermere pointed out that this would reinforce the rights of landowners and private holdings, my concern is that when you add this bill to previous bills – Bill 19 from this year and Bill 46 from last year – what we are seeing is an attempt by the provincial government to centralize its controls over land, not just the Crown land but the private land. If it were strictly

for stewardship purposes and in the best interests of, say, watershed protection, protection of the air, I would be less concerned. The white and green zones, that again the MLA for Airdrie-Chestermere referenced, while currently those designations are drawn up and appear as colour-codings on a map, the reality is that just because something appears to be in the green zone and, supposedly, comes under a notion of a degree of greater protection, that's far from the case that I have witnessed, particularly in Kananaskis.

The concept of multi-use continues to override the notion of priority use, and my experience was that on any given day, regardless of the fact that there may be a fire ban on at the time, you could simultaneously have clear-cutting, camping; you could have free-ranging cattle roaming through the area. There was no one to direct the various uses or prioritize them. That certainly was not in the best interests of either the flora, the fauna, or the people that were in the area trying to enjoy it because, as I say, there is no referee. Now, if the land-use framework is done properly, that referee will exist, and priorities will be established based on seven watersheds. I very much appreciate that concept.

The hon. Member for Airdrie-Chestermere pointed out the wonderful donation of Doc Seaman's with the ranch. We've had similar wonderful donations of land that's going to eventually turn into a park, and that's the Glenbow Ranch project, that stretches from Cochrane to Calgary. The need to co-ordinate the donations of land, such as the hon. Member for Calgary-Currie mentioned, through organizations like the Nature Conservancy, that Larry Simpson and other members have been so passionate about, and the notion of co-ordinating conservation easements and offsets and trying to link them with existing Crown land is a wonderful idea. Also, from the point of view of protecting animals, if done properly, it will help to preserve the Yellowstone to Yukon wildlife corridor, that continues to be fragmented by a variety of different types of land use.

We've had a number of individuals: the Pekisko Group, members of the Cartwright family, Ian Tyson, landowners in the Longview area and then heading further into the Whaleback and then going into the area that Larry Simpson in his Nature Conservancy refers to as the last five miles. That's the area along the American border that is one of the few areas where we still have fescue grasses and original vegetation. So protecting these lands for enjoyment by future generations is absolutely essential.

In terms of restoration and protection I'm extremely proud of my father, Bryce Chase, who has planted single-handedly thousands upon thousands of caragana as part of restoration projects. He has worked on Two Jack Lake in terms of fish habitat preservation, and for this he has received the centennial medal, the Order of the Bighorn from the Alberta Fish and Game organization, and numerous other awards because he very much cares. He has passed on that idea of preservation and conservation to me and, in turn, to my daughter and his great-grandchildren.

This land-use framework is absolutely essential. Dr. Brad Stelfox has done a number of presentations on cumulative effects. The beauty of Brad's presentations is that he allows the viewer to interpret the results. He doesn't push people in a particular direction. He just indicates that if we continue with a certain type of usage at the rate we're going, then here's what it's going to look like in 2020, 2040, 2060 unless there is some type of intervention. The difference between stewardship and central control not necessarily for positive legacy is where my concern for Bill 36 lies.

[Mr. Marz in the chair]

If we don't protect our watershed, as the land-use framework

suggests it will do, then forget whatever future activities we might have, whether it be trying to maintain a ranching stile in the Whaleback area, west of Longview, whether it's parks and protected areas. Right now only 4 per cent of this province is set aside under the provincial parks and protected areas, but as I began, even those areas aren't guaranteed to be protected. It's absolutely important that we get this right.

3:30

Lorne Taylor, with his water for life, began this progress years ago. It's taken us years to get to Bill 36, but my concern is that we haven't got it right yet. Hopefully, in terms of amendments, in terms of collaboration and collegial interaction between all parties, we'll get this right. As I say, Bill 46 got it wrong. Bill 19 got it wrong. Bill 36 without amendment has got it wrong. We're still waiting for the land-use framework to get it right.

We've got a lot of homework ahead of us. I think the individuals within this House are capable of achieving a responsible land-use framework which will protect a legacy for generations to come, but we're not there yet.

Thank you, Mr. Speaker.

The Acting Speaker: Hon. members, Standing Order 29(2)(a) is available if anyone wishes to participate.

Seeing none, the hon. Member for Calgary-Buffalo.

Mr. Hehr: Well, thank you very much, Mr. Speaker. It's a privilege to be able to speak to Bill 36, the Alberta Land Stewardship Act, in second reading. There are a few things that I would like to point out that have already been talked about, if I could bandy them about and flesh them out a little more. I think that is the opportunity that is before me, so I will take it.

If you look at the Alberta Land Stewardship Act in total, the idea is going forward in the correct direction. What we actually see is an act here that is going to input the land-use framework at some point in time. It will be able to measure some creative boundaries here in Alberta that will be able, then, to govern and grow those areas with much more respect for the watersheds and respect for nature and respect for our birds and animals that live on the Alberta prairie that need to be respected.

I guess there is some point of consternation in that this act should've been in place a long time ago. We can note that two years ago this bill, which was Bill 211 at that time, was brought forward by the hon. Member for Calgary-Currie, and at that time it was rejected. Probably it should have been made law at that time. We could've made some amendments and got things going, and it would've saved us two years on this timeline. Even at that, Alberta would still have been behind the curve if you look at areas like Ontario, areas like Oregon, areas like that that have had these types of acts in place for a long time, that really have managed the growth of various areas and, in fact, stopped cities from growing exponentially and stopped the inordinate urban sprawl and all that sort of stuff. That's where we're at.

We should've been at this point we are at here today, for sure, two years ago, and probably a strong argument exists that we should've been here 10 years ago. However, those are just some of the details, I guess, of living in Alberta, that we don't quite get to things as soon as we should. I think it is a failure of this government that this hasn't been brought in a long time ago. Nevertheless, that's where we are.

There are some things that concern me in this bill as well. They were brought up by members earlier. Primarily it's again with the concentration of power, that this bill seems to put all the decision-

making power into the hands of the cabinet, with no recourse to courts or other appeal mechanisms that can be put in place. Where it stops is, I guess, for all intents and purposes, the cabinet. The government is the single deciding force that can implement. It can change. It can withhold money. It can consult. It doesn't have to consult. It can do whatever the heck it wants in regard to land-use decisions once this bill is in place.

Now, I'm hopeful that this doesn't occur. Nevertheless, when we set it up such that it is being set up at this time, that is what can happen. I would say that no doubt someday in the future it will happen. The concentration of power that we see happening in this province will come back, and citizens will look and say: well, how the heck did this happen? You know, hopefully, we'll say: we kind of warned you of it; we kind of thought this might happen. At this point in time that's not quite happening, but it's happening on every single bill we see coming through here, and we see no difference on this bill.

I guess, just to go back on the history here and sort of why this is a bit of a positive movement, the Alberta government has talked about doing this in the past. For instance, in 1999 the government published Alberta's Commitment to Sustainable Resource and Environmental Management, which was basically a document that looked a lot like the beginning of the land-use framework, that this government said they were going to get busy on doing and implementing in the near future and all that good stuff. Anyway, that document sat on the shelves for a number of years, but it was not signed until 2006. Following that, you go to the draft land-use framework, which was finally presented by the government in early 2008, with the final land-use framework document released in December 2008.

I think that just shows you how sometimes there are plans to make plans to make plans. Sometimes all these announcements are made with much fanfare and much trumpeting and flag-waving, when they're merely almost a delay tactic or a way to take the public's attention off the government, I guess, moving toward actually doing something. The announcement is just a way of distracting things or buying the government time, which I'm sort of seeing happen in many other cases up here in the Legislature in even the short time I have been here. That's sort of the future.

I guess where we're talking about the seven regions and such, although the concentration of power exists, this will hopefully allow for our land development to go forward in a much more reasonable fashion. You know, we have some stuff on the Alberta landscape that is not something to be that proud of. For instance, the city of Calgary is the largest city, I believe, in terms of its land use in the world, possibly, or it's as large as New York City, and New York City houses 10 times the people.

3:40

Nevertheless, this type of thing has happened in our landscape. I believe in the future that because we've delayed so long in getting a land-use framework to the table, it will make our cities and our ability to do business and what have you and our communities' ability to thrive much more difficult because we didn't recognize the fact, you know, that sustainable development was in vogue a lot before this document recognized it. Communities that develop sustainable planning or sustainable development and cumulative effects planning and all of those things are going to be much better served in the future than, I believe, communities that are spread out over wide areas, that use an abundance of natural resources and even fossil fuel resources to survive and even thrive. I believe those areas in the future will not do as well as those who recognized this some time ago and built up and developed land-use frameworks at a much earlier time.

Nevertheless, as indicated by people earlier, this act brings in a wide variety of legislation. It amends 26 pieces of legislation and tries to bring them in line under this act. That is part of the centralization of power that I was referring to earlier and the proposed amendment's attempt to ensure that existing acts align to support the regional plans and ensure compliance with these plans. For some legislation this requires more extensive changes and will have to be done in the future.

[The Deputy Speaker in the chair]

As also indicated by my colleague from Calgary-Currie, this act will have more of a direct hand with the Municipal Government Act. It's going to take a more committed working relationship between the province and the regional communities and surrounding cities to work together, which is a good thing. Hopefully, areas like Calgary, Okotoks, Airdrie, and that can with this plan hopefully develop their own regions with the existing watershed and go forward in a more sustainable way.

It also sort of amends the forest management act and has many conservation and stewardship tools, which was talked about already. Conservation easements are being provided, which is a good thing. A conservation easement is a voluntary legal agreement between a landowner and a qualified organization such as a land trust or a government that conserves the ecological integrity of a piece of land. The easement is registered on land title, but the landowners retain ownership of the land. This is one of those good things.

Another good thing is conservation offsets that are going to counterbalance the effects of both activity on public and private land. They can be used to replace and restore or compensate for affected landscapes. For example, a company can serve an environmentally significant area to offset its industrial activity elsewhere. The act also sets the framework for offsets to be used for restoration, mitigation, or conservation as it provides a legal basis for government to establish an offset program and to set rules for defining and trading these offsets, which is going to take a certain amount of dedication and a certain amount of, I guess, utilization of the secretariat and putting this into play.

Nevertheless, I am hopeful that this sort of sets us on a new stage of recognizing that Alberta is probably at a tipping point when it comes to recognizing both how much, I guess, land and water and air and all that stuff we take for granted can actually be put to use by industry and others in a sustainable way and still have an economy and still have people who are living in a healthy state.

The land-use framework recognizes that in the language. It recognizes that we are at a tipping point here in Alberta. I think to that extent the government has to be commended for at least recognizing that the no-holds-barred approach to developing industry and letting industry, I guess, go willy-nilly wherever it wanted to, which by all means probably in the past was relatively effective – you know, we had lots of land; we had lots of resources. [Mr. Hehr's speaking time expired]

The Deputy Speaker: Standing Order 29(2)(a) allows for five minutes of comments or questions. Does any hon. member want to take part?

Seeing none, does any other hon. member wish to speak on the bill?

Seeing none, the chair shall now call the question.

[Motion carried; Bill 36 read a second time]

Bill 44

Human Rights, Citizenship and Multiculturalism Amendment Act, 2009

[Adjourned debate May 7: Dr. Sherman]

The Deputy Speaker: Hon. Member for Edmonton-Meadowlark, do you wish to continue since you still have time from the last adjournment?

Dr. Sherman: Thank you, Mr. Speaker. It's my honour to stand and speak to Bill 44, the Alberta Human Rights, Citizenship and Multiculturalism Amendment Act, 2009. Human rights are an important and delicate issue for many Albertans and Canadians because no single issue is more essential to humanity than how we treat ourselves and one another.

A few weeks ago from my vantage point in this House, when it appeared that an hon. member opposite used his liberty with impunity to call some members of the government caucus an inappropriate word that I don't want to mention, I am reminded of past examples of discrimination. It reminded me of when I first came to this country in the '70s as a child. You felt different, you looked different, and you knew you were in a cold climate in a cold country with no family and no social supports. Your parents were adventurers to this land. But there were times when you were made to feel different, and that was the most difficult point about discrimination, Mr. Speaker.

This is a nation that is founded on immigration. We are all descendants of immigrants if we are not direct immigrants. Today before you you see the most diverse caucus in this nation. Mr. Speaker, human rights are defined in the *Canadian Oxford Dictionary* as the "basic rights held to belong to every living person."

My personal experience from my family. My grandfather came here in 1906 – and he was the first from our family to come – at the age of 16 in his search for freedom for in his home nation they didn't have freedom to speak, nor did they have freedom.

3:50

In speaking to this bill, I would like to speak on freedom of speech – I think this is one of the most valuable things that we as human beings have – and, at the same time, the freedom to walk down the streets and have the feeling that you belong in this society. With that freedom of speech is the right to life, liberty, justice, free thought and expression, and equality before the law.

The Canadian Charter of Rights and Freedoms sets out guiding principles, and the Criminal Code of Canada defines acceptable conduct. Furthermore, the government of Canada has addressed the discrepancy between law and practice by creating a Human Rights Commission to investigate complaints regarding human rights violations, provide legal channels to hear the complaints, and find solutions to human rights problems. It seeks to educate all Canadians about human rights and to advocate equality of opportunity for groups in society that are frequently the target of discrimination. It does this for the good of society and because discrimination based on age, gender, race, religion, and sexual orientation is against the law.

Likewise, Mr. Speaker, each province has supplemental human rights laws that cover other issues not included in federal legislation. Thus every Canadian is legally protected from discrimination by the various levels of human rights legislation. But in order to guarantee that this legislation is effective, provincial human rights commissions oversee the application and everyday function of human rights laws.

Mr. Speaker, over the past year there has been much discussion

about the effect of antidiscrimination legislation on freedom of speech. There are certain individuals who believe that section 3 should not be included in the Human Rights, Citizenship and Multiculturalism Amendment Act. I am standing in support of this bill today on account of what it proposes not to change. It does not silence the voice of the voiceless or remove the advocate of the visible minority, of the new Canadians. Rather, it sends a loud, clear message that all human beings are to be respected and accepted and that willful discrimination will not be abided. Removing section 3 would be inconsistent with our Canadian Charter of Rights and Freedoms. It could lead to unnecessary legal squabbling.

Just as importantly, it sends the wrong message about us. The vast majority of Albertans, as I've mentioned, are from elsewhere or descendants of folks from elsewhere. We are not narrow minded, and we are not intolerant. In fact, I would say that this is one of the most tolerant societies and provinces in this nation. The elected members are evidence of that.

However, within the context of the overall human rights system the government of Alberta has recognized the need for a few simple yet vitally important administrative changes so that freedom of speech may be maintained, which, by the way, has already begun with the introduction of a new chief commissioner, who brings an extensive judicial background and a new focus to the position. Other necessary changes include finding ways to reduce the average time it takes to process a complaint, working to improve the general functioning of the system for all complainants, and, of course, expanding section 3 to include sexual orientation.

While some may grandstand for the media and make themselves advocates and champions of freedom of speech, they continue to have that right under this legislation. Section 3 is and will continue to be an important piece of Alberta's human rights legislation because it outlines protections for those same freedoms of speech. In fact, this act states that nothing shall be deemed to interfere with our freedom of expression or opinion on any subject. The real challenge is curtailing alarmist rhetoric and promoting common sense, a value I believe most Albertans possess in abundance.

As proof of this, freedom of speech complaints account for less than 3 per cent of Alberta Human Rights Commission investigations. That's a good thing. This very Assembly illustrates equality of rights and opportunity and the protection of the law provided by this great province. This Premier, who did not speak English until the sixth grade, has provided a great example of this. As he pointed out, this caucus is the most diverse in this nation.

Mr. Speaker, let us not divert our focus from the big picture; 97 per cent of cases reviewed by the Alberta Human Rights Commission are with the respective areas of employment and tenancy. This legislation ensures continued protection and equality of the rights of all Albertans where they need it most: in schools, in workplaces, and in homes. I will support it and encourage all hon. members to do the same.

Mr. Speaker, I would like to thank the hon. member from across for explaining his comment in the House, and I accept his apology.

It's truly an honour for me to be a member of this Assembly. It's truly an honour for me also to be an Albertan. Thank you, Mr. Speaker.

The Deputy Speaker: Standing Order 29(2)(a) allows for five minutes of questions and comments. Does any hon. member want to take that five minutes?

Seeing none, now back to the bill. The hon. Member for Calgary-Varsity.

Mr. Chase: Thank you very much. While I appreciate the intent of Bill 44, it fails to achieve its intent.

Last Wednesday the hon. Member for Edmonton-Meadowlark and I were sitting side by side in the Children and Youth Services discussion. As we were chatting, it turned out that given his age and given my age, I could very well be his father or of his father's age, at least. I'm extremely proud of my son-in-law, as I'm sure the hon. member's father is of him.

[The Speaker in the chair]

My son-in-law's family had a similar experience coming from Kerala in southern India in the 1970s. They recognized the opportunities, although because it's a maternal society, Kerala had the highest education per capita of any of the states in India. However, the family came seeking opportunities that Canada provided, and like the hon. Member for Edmonton-Meadowlark my son-in-law and friends of his have been the recipients of prejudice.

Bill 44, as the hon. Member for Edmonton-Meadowlark pointed out, deals to a large degree with employment and tenancy. What the bill has done is recognize the rights of individuals regardless of race, religion, or sexual orientation. Now, what Bill 44 does is recognize their rights in the workplace, it recognizes their rights to habitation, but unfortunately – and this is where I have great concerns – it turns public schools into places of potential prejudice.

What it does is say that while you can't discriminate on the basis of sexual orientation in the workplace or in a tenancy circumstance, prejudice can still be fostered either passively or actively within the school system because individuals who interpret a lesson as somehow connecting with sexual orientation or sexuality can show, basically, their concerns and expect to be accommodated by being previously informed about a discussion that has yet to occur. Under the School Act the protection already exists for classes in sexuality, and human sexuality is what I'm referring to.

4:00

There is also protection based on religious grounds, but where the areas become grey – for example, in the grade 7 social studies curriculum that I taught, there was a section on world religions. I provided the details: a little bit of a historical background of how the religions got started, the number of potential worshippers on a global basis, followers of the particular religion. My concern is: would I now be expected to send out a permission slip to parents saying that I'm going to be talking about world religions tomorrow should there be an objection? Or – and this happened, for example, when I was teaching English in grade 9 – one of the plays that we were studying was referring to pieces of wood, but the comment was: pile the faggots high. In this new circumstance and the misuse of the word "faggot" to be somebody who is of a same-sex nature, then that discussion could be the subject of a human rights accusation. So teachers don't know what grounds are now off limits. In the School Act it was fairly broadly determined, but with this latest aspect of religious opting out, there is no possible way of predetermining what might be considered offensive.

I think it's important that I establish a little bit of my own historical background in terms of relevancy. I was brought up in a Christian religion. In my particular church Sunday school went up to 21 years of age. When I was in one part of Saskatchewan visiting one grandma, who was my sort of preschool Sunday school teacher, it was the Anglican faith. When I was in Saskatoon, it was the Christian Science faith. I have a very strong faith-based upbringing, but nowhere in my religious studies, which continued on at the university level, where I actually prepared sermons on a weekly basis for my organization – nowhere there was I suggesting that I had a stronger sense of right or wrong, of religious principle, than other people did.

When people come to my door and have a particular religious

belief, I don't slam my door in their face. I don't opt out through closing my mind or my door to the individuals who appear on my doorstep. I interact with the individuals, and I thank them for their concerns and for coming to my door in their belief that they had a very strong message to give. On some occasions I've even suggested: would you like to exchange literature? I've always sort of ended the discussion with: thank you very much; I have my own faith, and I'm pleased that you're faithful. My version of faith is very much grounded in the New Testament, where we talk about loving thy neighbour as thyself and doing good to others and setting a table in the presence of one's enemies. It doesn't say anywhere: your views aren't good enough or I don't accept your views; therefore, I'm going to pull myself out of a circumstance.

The strength of our public system is its secular nature. If that is eroded and it becomes a place, potentially, of religious intolerance as opposed to tolerance of all faiths and backgrounds, then the whole fabric of the public school system, that I've been so proud to be a member of for 34 years, is undermined. As long as the religious opt-out clause, which has been extended from religious topics and topics of human sexuality, gets blurred by going into sexual orientation in great detail, which, as I said at the beginning, in Bill 44 is no longer acceptable as a cause of prejudice – if that type of clause is instituted as another layer into the public system, then it changes the whole nature of the public system.

We have private schools. We have charter schools. We have home-schooling. We accommodate in this highly tolerant province a whole variety of opportunities. I believe that one needs to live their faith as opposed to using their faith as a hammer, and that is what I am concerned about, that religious intolerance of an individual based on sexual orientation will now become enshrined within the public education system and replace what was the intent of the education act.

I've heard the hon. Minister of Culture and Community Spirit speak at news conferences and say: "What's the big deal? It already exists under the School Act." Well, sexual orientation doesn't exist under the School Act, and bringing it into legislation excludes as opposed to includes a significant sector of the public. The last thing I want schools to be turned into are bigotry breeding grounds. One's faith is personal, but when one starts to exercise that faith, whether by excluding themselves from a science lesson or a literature lesson or a social studies history lesson, especially at the junior high situation, where children are undergoing changes that people may not want to discuss under the terms of human sexuality, the reality is that physical and mental changes are taking place, and kids are extremely vulnerable at that age. The child who isn't sure what his religious rights or beliefs are would feel potentially uncomfortable in a variety of discussions, and if that child leaves the class, standing up for what he or she believes is their religious right, there is the perception of that child being excluded.

I don't want public schools to have to be forced into a circumstance where an external religious muzzle is placed on any types of open discussion. Trust teachers. Where a teacher's trust isn't warranted or if there is any evidence of crime, of hatred, or exclusion based on race, religion, sexual orientation, then it belongs in the courts. It doesn't belong as a shoehorn into human rights legislation. Parents already can make the choices.

Please, I urge you to remove this particular clause, which undermines the whole foundation of a secular public education system.

Thank you.

4:10

The Speaker: Hon. members, Standing Order 29(2)(a) is available. The hon. Member for Airdrie-Chestermere.

Mr. Anderson: Thank you, Mr. Speaker. I want to say, first, that I respect very much the hon. Member for Calgary-Varsity and his respectful arguments and the tone of debate that he brought.

I have two questions in particular. Specifically, you mentioned the world religions class, the grade 7 class that you taught. I happened to go through that same course. During that experience my personal faith as well as the faiths of several other students in the class were really, for lack of a better word, slandered. It was very much misrepresented. I don't think it was on purpose. I don't think that the teacher in that case had any sort of vice or anything towards these specific faiths. I think it just came from a lack of a true understanding about what that faith taught. And it was more than just mine; it was others as well. I will say, though, that although it wasn't intentional, the discrimination that I felt at that time was very real, and the feelings of hurt were very real. My first question would be: is that appropriate? Is it intolerant of me as a parent, in order to keep my kids from possibly experiencing that same discomfort and pain, to teach them about world religions in my own home, where I think I can give a very fair and balanced and very tolerant approach to that subject?

The second question. We all know – and it's very much related – that one example where the state thought that they were a better teacher of religion than parents was the tragedy, of course, of the Indian residential schools, where the state took children against their will and forced them to learn a religious-based teaching. I guess what I would ask is: in that context, given that history, do you believe that the state is better positioned than parents to teach religion to students?

Mr. Chase: It is my firm belief as a parent and a grandparent that religion is something that originates in the home. Depending on your type of practice, it may be fortified in a mosque, in a synagogue, in a church. It may be celebrated within a natural setting. It is not the state's purpose to supplement or teach a child a particular religious faith. That's up to the families.

I'm sorry that you felt the type of discomfort in that class on world religions that I was explaining other children might feel. As a teaching professional it's very important that we not provide a particular view as to, you know, yea this religion, nay that one. It's very important that we lay out the factual information. For example, I said a major prophet for the Islamic religion was Mohammed. I talked about Buddha. I talked about Jesus as being a primary representative of the Christian faith. But I did not indicate that one religion or another, other than numbers, has a greater following or should be followed over any other. That's very important. That was part of a global class, and I provided maps on where the various faiths had the greatest intensity of worship and so on.

I would like to separate religion and secular education. Religion, as I say, belongs, I believe, in the home. I believe the demonstration of one's religious beliefs is something that we should live by on a daily basis, but I don't think we should push our beliefs.

The Speaker: The hon. Minister of Education, on the debate.

Mr. Hancock: Thank you, Mr. Speaker. This is a very important debate, and it's a very important debate because it's very important that the clear meaning and understanding of the intention of this bill be on the record and be understood. There has been a significant amount of discussion about what, in my view, is not in the bill, but I think it's important to say what is in the bill.

First of all, what is in the bill is some effort at an administrative change to the Human Rights Commission to make the processes of the Human Rights Commission more effective, to recognize that

there are frivolous complaints that come forward and make sure that it's easier to deal with those, and to make sure that the complaints that come forward that are grounded are dealt with appropriately. The important part of the bill, really, is about the reinvigoration of the Human Rights Commission to do its job properly and to arm it to do its job properly.

There had been discussion – and I appreciate the comments from my colleague from Edmonton-Meadowlark – with respect to section 3. There had been comments that this bill does not address section 3, and I'm not going to go into the section 3 issue other than to say that there are all sorts of concerns about our right of freedom of speech. I'm one of these people who believes that I was born with a bundle of rights and that every time society does something through government, it takes away from my personal rights. Hopefully, it does that on an appropriate basis, to encourage and create a civil society. But there's nothing we can do as government which doesn't detract from my personal rights, so we have to always be on guard that when we detract from personal rights, we do it for rational reasons that are for the good of civil society.

The other thing I would say about section 3 and the freedom of speech and our freedom to express ourselves is that there are restrictions on all of our rights. I have a right to flail my arms around, but I don't have the right to connect them with somebody else when I do it, and I think freedom of speech has the same kind of limitations. That's all I'll say about section 3.

The section that I really want to address is section 9, which provides for putting section 11.1 into the act. It's very important because a lot of the public discussion and most of the discussion in here has been focused on that section 11.1 and what it means. Let me clear up something, first of all, that I think has been mentioned in the House – I know it's been mentioned outside the House – and that's whether section 11.1 deals with all educational institutions because it talks about a board as defined in the School Act. That board is defined in the School Act as not just school districts and school divisions; it also includes charter schools under section 36(1) of the act. So it should be perfectly clear that this includes charter schools. Should it also include private schools? Well, that's a subject that we could raise later on. Certainly, I would see no reason why it shouldn't, but clearly it includes charter schools. I wanted to make that perfectly clear.

Then there are the claims that people are making that this will somehow result in students being deprived of knowledge and understanding necessary to participate in a diverse society. This is not the intention or the import of section 11.1 as proposed. Section 11.1 affirms in law parents' ability to opt their child out of instruction that deals explicitly with religion, sexuality, or sexual orientation. This will not result in any changes to current practice.

Section 50 of the School Act already states that parents can opt their children out of religious instruction or exercises. The guide to education, the mandated policy that all schools operate under, states that the principal shall exempt a student from school instruction in human sexuality education at the written request of the student's parents. The guide to education is policy, not law. Mr. Speaker, section 11.1 affirms in law parents' ability to exempt their children but functionally changes nothing.

Now, some comments have been made that this has never extended to sexual orientation before. Human sexuality includes sexual orientation. Full stop. It's always been in there; it's always been part of the policy. Now it's part of the law. Some people didn't realize that that was included, so it's expressly mentioned so that people will realize that that's included.

The other effect of section 11.1, of course, is to require parents to be informed of instruction that deals explicitly with religion,

sexuality, or sexual orientation. It only makes sense to do this because parents can't opt their children out of activities that they don't know about. This is a minor change to current practice in that section 50 of the School Act allows for opting out but doesn't require notification.

4:20

The guide to education says that parents shall be advised prior to the start of human sexuality instruction of their right to exempt their child from that course component. There is no similar notification about religious instruction or, for that matter, patriotic exercises in the current School Act, so that's now added. All section 11.1 does is mandate a consistent approach to informing parents and allowing them to opt out of religious or human sexuality instruction. When I say "religious," I mean as it says in the section, explicit religious instruction.

Are we going to cause mass chaos in the schools by requiring boards to inform parents about instruction explicitly addressing religion or human sexuality? Well, no. We already do that. We already require that parents be advised before instruction begins on human sexuality. Adding a requirement that they be advised of explicit instruction about religion imposes no extra unmanageable burden. In much the same way this does not create a logistical problem in schools, as has been mentioned. In the past teachers and principals have not had any problem accommodating students who have opted out of human sexuality instruction. Students who opt out of religious courses are not going to overwhelm the ability of teachers and principals to find suitable alternative activities.

Mr. Speaker, some critics of section 11.1 say that you can read anything into the meaning of religion, so students could opt out of anything that they interpret to be religious. That is not the import of section 11.1, and it's not the intention of section 11.1. Our current practice of allowing students to opt out of sexual education classes has not enabled anybody to opt out of their biology classes. I don't know why anyone would think that including religion here will enable anyone to opt out of discussions of Middle Eastern politics or evolution or geology. What are clearly intended are courses of study, educational programs, instructional materials, or instruction or exercises that are explicitly, specifically, primarily about religion.

Mr. Speaker, there are also claims that Bill 44 will somehow put a chill on what can be discussed in class. This concept that teachers will have to fear any utterings, that discussions in class will freeze, that there can be no utilization of teachable moments when a topic touches on religion or homosexuality is really not on. Social studies classrooms must and will be able to discuss current events, especially when they involve a clash of cultures, values, or even religions. This is not teaching religion. This is acknowledging that in the reality of today's society in developing students who are global citizens, religion will be part of the topic. That is basic to understanding where we are going and how we deal with disease among other things. Science will continue to teach about cell structure and its continuing adaptive evolution.

Other critics are asking why there is any particular sensitivity at all about teaching religion. The implication of these statements is that allowing students to be exempted from explicit religious instructions or teaching about religion somehow prevents students from learning about and appreciating diversity. That's simply not the case, Mr. Speaker. When it comes to values and value systems, there has always been this question of whether schools should teach values or whether that's the purview of the family.

Bill 44 is not about preventing children from learning about diversity. In fact, we can't prevent that, and we don't want to prevent that. In a modern, pluralistic society there is no way to

avoid discussions of values. Just by walking into a modern classroom, with dozens of ethnocultural backgrounds, religious beliefs and, yes, sexual orientations, today's students are going to learn from each other about diversity. Our society increasingly reflects this diversity and celebrates this diversity. That's why students absolutely should be learning about subjects that they do not necessarily agree with, whether a scientific viewpoint or a religious belief. That's why we ask our students to express views based on their personal values and beliefs. Thinking through personal beliefs is an important part of developing judgment and character.

But there is a particular sensitivity for specifically teaching about religion and religious doctrine. While I want my children to understand the spectrum of religions in the world, I may not want you to interpret for my child what the doctrines of my religion are. That's why we respect and honour students' religious beliefs by allowing their parents to opt them out of religion classes.

When it comes to sexuality and sexual education, it's important to me that I know what you are teaching my child. Then I can be involved in ensuring that my child has more than a technical understanding of the mechanics of sex but also a clear and unequivocal view of the importance of sex within a loving and caring relationship. It is for these reasons that notification is provided to parents and the opportunity is there for a parent to say, "I would rather my child not participate."

Some people have argued that by putting these provisions in the Human Rights, Citizenship and Multiculturalism Act, there is a significant change, that we're elevating them to the status of rights. Surprise. Parents have always had the fundamental right to direct the education of their child. That's recognized in the preamble of the School Act, Mr. Speaker, where it says that "parents have a right and a responsibility to make decisions respecting the education of their children." They have the right to review curriculum with teachers and, in fact, are encouraged to do so. I wish more parents would take an active interest in what is happening in their child's school. That's why parental rights, including being informed about and given the chance to opt out of explicit religious instruction and exercises and instruction about human sexuality, are important. But that absolutely does not include allowing a religious interpretation of the broader program of studies as grounds for opting out.

Mr. Speaker, I've always maintained that education exists not just for our children but for our communities and our society as a whole. This legislation is one of those efforts that walks the always uncertain and uneasy line between communal needs and personal preferences. However, it is clear that parents are ultimately responsible for their children, that society has an interest in making sure that children are appropriately educated, and that in some areas there is inevitably going to be a clash of values, which needs rational discussion and resolution.

This is a methodology of ensuring that parents can and will be involved when those sensitive subjects come up. They can opt out if necessary, but hopefully it would only be after a discussion with the teacher as to what was actually going to be included in the instruction and possibly the ability of the parent then to supplement that discussion at home if they had concerns. Ultimately, they have the opportunity, they have the option, they have the right to opt out.

One of the other issues that I want to deal with very quickly is this issue that perhaps teachers will be hauled before the Human Rights Commission. Mr. Speaker, clearly, if this section is in the human rights act, the Human Rights Commission has a role. One of the tenets of the Human Rights Commission is always to require a complainant to first go through other processes that are available to them. In the school process those processes have always been there and always worked. We have all across this province opportunity

for parents to talk to teachers not just about these issues but about any issue in the curriculum that they find offensive or any teaching resource that they find offensive. We've had examples of that across the province where a parent has taken an objection to the resource, and the appropriate route is then to talk to the teacher about it. If they don't get satisfaction, talk to the principal about it. If they don't get satisfaction, talk to the school board about it. I'm not aware of any circumstances where that process has not been successful.

However, in the event that someone did complain to the Human Rights Commission, the Human Rights Commission would first ensure that they went through that process. Secondly, the Human Rights Commission would have the opportunity to determine whether this was a frivolous or a valid complaint. This doesn't have to be a huge process. In fact, the other amendments to the human rights act that are being proposed will make it much easier for the Human Rights Commission to do its job and not be burdened with frivolous complaints, to deal with those expeditiously and to deal with the appropriate complaints that come before them, the ones that have merit, in a robust nature.

I do not believe teachers or school boards should be scared of the process at all. I do not believe that there's anything in section 11 which should freeze discussion in the classroom at all. The clear interpretation that should be put on section 11.1 is that when a teacher in a program of studies is going to teach explicitly about religion or, as is in the School Act, religious instruction, when the teacher has a unit in their program of studies which teaches about human sexuality, which includes sexual orientation, notification is required. In fact, that's the process that's undertaken now, and it works.

Changing this, putting it into the human rights act, is not going to change the fact that parents have rights. It's not going to change the fact that parents are required to be notified as they are now under policy – not in the act but under policy – about the teaching of human sexuality.

It will change one thing with respect to religion, and that is not only the right to opt out of religious and patriotic instruction and exercises but the right to opt out of the teaching about religion. But it's explicitly teaching about religion and not using a religious lens on all the other curriculum to determine whether they disagree on religious grounds with anything that's being taught in science or math or social studies or literature.

Mr. Speaker, let's be clear about this. The intent of this bill is to make sure that you can opt out where appropriate but not opt out of all the other areas.

4:30

The Speaker: Standing Order 29(2)(a) is available. The hon. Member for Calgary-Varsity.

Mr. Chase: Thank you. I appreciate the hon. Minister of Education reviewing the historical significance of the School Act as it relates to opting out of religious classes and the specificity and definition of religious classes. I also appreciate his reinforcing of the sexuality clauses. But one area that he either treaded around or didn't tread into to the extent that it's causing the greatest deal of difficulty is the area of sexual orientation. That was not previously in the School Act, and now it is being put into this human rights legislation. That is where the difficulty of the interpretation will exist. I don't anticipate a degree of difficulty with the religious aspects. With regard to human sexuality it has always required a consent. I don't see that being a problem.

While we have promoted tolerance in one part of the bill with

regard to sexual orientation, which the government reluctantly put in – it was 1998, with the Vriend case, when this matter first came to a head. Now we protect people, as I say, in the workplace, and we protect them in terms of tenancy, but it's a slippery slope as to whose rights are being protected, whose rights are subject to interpretation when it comes to sexual orientation. So if you could please talk about that part of the bill because that's where the controversy lies.

The Speaker: The hon. minister.

Mr. Hancock: Thank you, Mr. Speaker. I don't believe there should be any controversy on this. The human rights bill, Bill 44, clearly puts sexual orientation into the act in all the appropriate places with respect to ensuring that there is no discrimination on the basis of sexual orientation. As the former Premier said when this was discussed in the House a number of years ago: I abhor discrimination. I think every member of the House would say that same thing. People should not be discriminated against on any basis, quite frankly. We all live in this society together, and we have to live together and work together. It's very important that it be in. This is the first time the human rights act has been opened. It's quite appropriate that there were changes to be made to the Human Rights Commission. So to put it in, now is a good time to do it.

With respect to human sexuality sexual orientation is part and parcel of human sexuality. In our mandated policy to school boards right now if they are teaching anything about human sexuality, they have to give notice to parents. The fact that it's specifically set out, because some people didn't realize that, in my view makes no change to the policy that has been mandated for a long time; that is, if you're teaching human sexuality, you need to give notice. I could give the member chapter and verse of the various sections of the curriculum that deal with human sexuality issues, where notice is required, but that's the sum and substance of it.

You can read it broader if you want, but my suggestion is that that's not the appropriate reading of it. The appropriate reading of it is that when you're teaching explicitly about religion, when you're teaching about human sexuality, including sexual orientation, those are areas where parents should be notified so that they can discuss the curriculum. If they have a problem about the way it's presented or the content of it, they can opt to teach their children themselves about values which they hold dear.

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

Mr. Chase: Thank you. There is no sexual orientation 101(b) of human sexuality. Sexual orientation isn't something that's limited to a health class. It's not a lifestyle. It's something that individuals are potentially born with. It's not a disease. It's not a choice. It's not a preference. But it isn't restricted to a human sexuality class. When issues of sexual orientation appear not as a direct part of a teaching lesson, can a person simply jump up and say, "I'm opposed to this person because they're soft-spoken" or "He's wearing purple and pink clothes again, and that's annoying me"?

Mr. Hancock: Clearly not, Mr. Speaker. Clearly the section says, "deals explicitly with religion, sexuality or sexual orientation." It's a class that deals with it. It's not a comment that comes up in class or a teachable moment that occurs. That's clear from the wording of it. It should be the way all of us focus on this because it's so important.

The Speaker: The hon. Member for Calgary-Buffalo on the debate.

Mr. Hehr: Well, thank you, Mr. Speaker. It is a privilege to be able to speak to this bill although I will say that it is one of those things that I speak to with a little bit of a heavy heart as I don't think it holds Albertans in a good light or holds our classroom teaching to really going forward in a positive direction.

If I look back at this bill and sort of the makings of it, I look back at being in a law school class in about 1997-1998. We were then given the Alberta Court of Appeal's decision to read on Vriend. I remember that being interesting reading and going forward and then saying to myself: you know, this really is kind of bizarre. The fact that we actually appealed it to the Supreme Court of Canada I thought even more bizarre. Then the fact that we didn't immediately take the recommendation to implement sexual orientation into the human rights code like many other jurisdictions did immediately, like the Supreme Court of Canada suggested all jurisdictions do, again, I found very bizarre. I guess that's sort of what it was. That's why my first question that I believe I asked in this House was on when sexual orientation was going to come into our human rights legislation. I felt proud to ask that question. I'm actually overjoyed to see that that is finally part of the legislation in this act.

Nevertheless, you know, what the right hand giveth, the left hand taketh away, or something to that effect, because although we have a piece of I guess what we call symbolic, progressive, what have you, legislation going forward, we have an equally, I'd even suggest, more regressive act going forward the other way, which is the enshrining of parental rights into our human rights code. Essentially, what I see that as is really just holding a flag out to people, like almost a red flag, saying: "Hey. Here it is. In Alberta you are allowed to drag people to a human rights tribunal if this happens in your school system, if you don't like it happening, if you don't want people to talk about sexual education or sexual orientation, if you feel it has happened, whether it has happened legitimately or whether it happened in the playground." You have enshrined a right that was not there before.

I understand what the hon. House leader said before, that this is a not a new right given to parents. Fine. I agree with that. You could've yarded your kids out of class in section 50 if you got your knickers in a knot over them going to teach sexual orientation or if they were going to talk about X, Y, or Z. You know, fair enough. Parents could always do that. You know, I guess that's fair enough. I won't comment any further on that. But what we're doing here by this is that we're putting a red flag not only to parents but to institutions, religious and otherwise, to say: "Hey, guys. In Alberta we're allowed to do this. Let's get organized and possibly do this." It just alerts people to something that really I don't think was necessary. It enshrines a right that I believe sets us back, and I'll say it sets us back numerous years.

4:40

Maybe some of you read the Canadian Press today, where a former member, I believe probably still a member of your party but at least a former member of your party, who was a member of the House, Ron Ghitter, from Calgary-Buffalo – he wrote the document on tolerance and understanding – expressed extreme, I think, distaste towards this.

It was just a few short months ago when I was in a meeting put on by the Sheldon Chumir foundation, and Mr. Ghitter came in with the hon. Minister of Culture and Community Spirit. I had such great hopes for this bill at the time. When Mr. Ghitter introduced you at that forum in front of the Sheldon Chumir people, I was saying: well, Ron Ghitter wouldn't be doing this unless he thought this was good stuff. Then lo and behold, this is what happens. I can't help but say I'm nothing but disappointed in the fact that this has come

out. It's safe to say from his comments in the paper today that he's disappointed.

So, you know, don't just point at us on this side of the House and say we're the ones being silly here. Look at people who've built that party, who supposedly were part of that progressive arm of your party, that sort of left the Social Credit Party and said: "Yeah. We're not quite like that anymore. We've moved on as a society." Whereas now those guys are looking and saying: "Are they back? Did the Socreds do a reverse takeover?" I don't know. It really looks to me like this is a regressive set of legislation that goes back to 1967, apparently before the Progressive Conservative Party took over. But hey, what do I know? What does Ron Ghitter know? I guess that's sort of what I read in today's paper. I don't want to speak for Mr. Ghitter, but that's what I took from his comments.

I think that's almost what I'd like to point out, that Alberta has taken a step back in terms of this legislation. I think we've really got to look at ourselves like: "Man, are we going in the right direction? Are we going in the progressive direction, the way people are going?" In my humble opinion I would say not.

Anyway, those are my comments, and I thank you very much for allowing me to make them.

The Speaker: Hon. members, 29(2)(a) is available for questions or comments to the hon. member.

There being none that I can ascertain, then I'll recognize the hon. Member for Calgary-Currie to continue the debate.

Mr. Taylor: Well, thank you very much, Mr. Speaker, and continue the debate I will. We're at second reading, so we're again debating the principles of Bill 44, the Human Rights, Citizenship and Multiculturalism Amendment Act, 2009. I have to say that I do not understand this bill. I do not understand the purpose behind this bill at this time. I do not understand why, when the Supreme Court of Canada ruled in 1998 that sexual orientation needed to be written into our human rights legislation, it could or would possibly take over 10 years for this government to get around to doing that. I do not understand why there would be any connection made between writing in sexual orientation as a prohibited grounds of discrimination and writing in parental rights.

I do not understand why when a human rights law expert like Linda McKay-Panos says that no other provincial human rights legislation, none anywhere in the country, touches on parental rights in education – and she's the head of the Alberta Civil Liberties Research Centre at the University of Calgary – I do not understand why this government would see fit to put it into human rights legislation. She says that the issue, in her opinion, belongs under the Charter of Rights and Freedoms, not in human rights legislation.

I don't understand how these two things, Mr. Speaker, are supposed to go together. I do not understand why I should accept the Education minister at his word that enshrining what already, in his view, exists under the School Act in human rights legislation makes no difference whatsoever. The reason why I don't understand why I should accept that line of argument is because if that's the truth, if that's the correct and factual interpretation of this legislation, then there's utterly no reason to put it into Bill 44, the Human Rights, Citizenship and Multiculturalism Amendment Act, 2009, because you don't put things into legislation unless those things – those clauses, those sections, those paragraphs – are meant to have an impact.

Mr. Speaker, you can't have it both ways. You can't say that this was a vitally important issue to put into our human rights legislation on the one hand and then on the other hand say: "Oh, but it doesn't change anything. Things just continue on gloriously, calmly,

wonderfully, the way they've always been, with parents having no more right and no less right to opt their kids out of sex ed than they did before."

Now, I remember when my kids were young and in school – and it even started back in elementary school. I guess we sent our kids to a really progressive public school; I don't know. You know, the earliest sex ed classes for our kids were in grade 4, and I know the opt-out provisions existed there, too. There were a couple of parents in our neighbourhood who routinely opted their kids out of sex ed. I know that's existed under the School Act for a long, long time. I understand that.

Mr. Hancock: It's policy.

Mr. Taylor: Policy. Fine. Good enough. The Education minister has just corrected me that it's an issue of policy. Fine.

Nevertheless, the ability, the right, the privilege, whatever you want to call it, of parents to opt their kids out of sex ed in the public school system in the province of Alberta has existed for a long time. My kids are 22 and 20 now, and by the way, their parents did not opt them out. They made them go and take sex ed whether they found it embarrassing or not, which from time to time maybe they did a little bit, but it did them good. They turned out just fine, and I would highly recommend to any and all parents in the province of Alberta that they not opt their kids out of sex ed classes because it will do the kids some good. It really will.

That opt-out ability has existed for a very long time, and it seemingly worked just fine for the parents who wanted to take advantage of it. Now suddenly we feel the need to enshrine it in the human rights code. But at the same time that we're feeling that we need to enshrine it in the human rights code, we're saying, "But it doesn't change anything; things just go on as before," and this from a government, this from a party that actively and with premeditation, I would argue, dragged its heels for a decade on doing what the highest court in the land told it to do, which is to enshrine sexual orientation in the Human Rights, Citizenship and Multiculturalism Act of the province of Alberta as a prohibited ground for discrimination.

Now, Mr. Speaker, to me none of this passes the smell test. I don't think we're getting the straight goods on this. I don't think a government that dragged its heels for that long on following the directions of the highest court in the land on an issue that they now have suddenly, if you'll pardon the pun, gotten religion around supporting – if it took them 10 years to figure out that the Supreme Court made the right ruling here and that they should actually do what the court told them to do because it's the constitutional and right thing to do, you know, I don't really buy it when they say: "Yeah, just put the parental rights clause in there. Nothing is going to change. Things are going to carry on as before. Everything is going to be just fine. Don't you worry your little head about this." Well, my head, which nobody has ever described as little, is worried about this, greatly worried about this, greatly concerned about this.

4:50

I don't think this bill passes the smell test. I'm going to vote against it at second. I invite and challenge members opposite to convince me in committee, as we debate amendments to this bill, that they're not trying to sell me some swampland in Florida over this one, but I've got to tell you, Mr. Speaker: they've got a ways to go to pull that off.

Mr. Speaker, I've been instructed that I'm supposed to adjourn debate on this issue, so I would move adjournment of Bill 44 at second reading now.

The Speaker: Well, we'll deal with that after we deal with Standing Order 29(2)(a), which affords all members an opportunity to provide question or comment.

Mr. Chase: I was just wondering if the hon. Member for Calgary-Currie was intending on moving adjournment following 29(2)(a). If he could clarify his position, that would be much appreciated and would serve this honourable House well, I'm sure.

The Speaker: Well, he'll not be in a position to do that. He's already provided the motion. I postponed it for five minutes. That's one of the little quirks we have here on the administrative side. That just dealt with 35 seconds.

Any other members want to participate on the Q and C side?

[Motion to adjourn debate carried]

**Bill 45
Electoral Boundaries Commission
Amendment Act, 2009**

[Debate adjourned May 12: Mr. MacDonald speaking]

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

Ms Blakeman: Thank you very much, Mr. Speaker, for the opportunity to rise in second reading and speak to Bill 45, the Electoral Boundaries Commission Amendment Act, 2009. Now, according to the electoral boundaries act that currently exists, we would have had to strike our next Electoral Boundaries Commission by June 30, 2010. Clearly, the government is anxious to get that ball rolling, so this act is replacing that date. Now they would like to roll that back to July 31 of 2009, so pretty much back by a year. My memory was that it does take about a year before you actually get a report, so this would line us up a little earlier.

In the other electoral boundaries that I have been in place to witness, the number of seats was kept the same. What you're trying to do is anticipate growth and also anticipate fair and equitable representation. That usually breaks down into two things. Is a vote in Athabasca-Redwater the same as the vote of an individual who's voting in Edmonton-Centre? Also, is the ability of a given MLA elected in one area to provide representation the same as the ability of an MLA in another jurisdiction?

Lots of things are at play here: urban versus rural, the number of constituents, the stress that we place as what was a predominantly rural province is now a predominantly urban province, how we offer reasonable access and representation to those people who are still living in rural areas, how large the area is that a member is expected to serve and to serve their constituents with a reasonable amount of access to them and, frankly, without killing the MLA, which sometimes we don't put enough consideration toward. We're struggling here. We have 80 per cent of our population who are living in an urban area, but when you look at the number of those 83 seats that are what we would call urban seats, I would argue that we end up with significantly less than 80 per cent of the MLAs in this House representing those people. I think it's much closer to 60 per cent. So there is already an inequity created here.

Now, in Alberta in the electoral boundaries act we have tried to adjust for that in the past, and frankly I think we've stretched those definitions to the point where that elastic is going to snap on some kind of Supreme Court challenge. There was a lot of talk in 2002 about whether what was being proposed would qualify as a Charter challenge. Certainly, there has been some judicial commentary that is available as to when they start to signal that they think that's going

to be a problem, but we do stretch it. I mean, we allow, I think it is, four ridings to have a variance of plus or minus 50 per cent, and a number of other ridings – or maybe it's all the other ridings – are allowed to have a variance of plus or minus 25 per cent.

Now, remember, guys, that this is off the average. You can have one riding, let's say an urban riding, that has 25 per cent more people and a rural riding that has 25 per cent less people off your norm. Let me just pick a number. Let's say 30,000 people. You can have a riding that has 25 per cent more than that 30,000 and 25 per cent less than that 30,000. You can end up with a heck of a spread between those two constituencies, yet supposedly their votes are the same and the ability of the MLA to represent those two areas is the same. I think we've reached the point where what we have in that current legislation is not justifiable any longer.

[The Deputy Speaker in the chair]

You know, it's an interesting thing. Having been elected long enough in this House, you do start to find that everybody thinks they work hard, that everybody thinks they work harder than everybody else. I've never met any MLA who stood up and said: "No. You know what? I don't work as hard as my neighbour." Everybody says that they work harder than everyone else. I think MLAs do work hard. I am not aware of any MLA sitting in this House at this time who's slacking off, who's kicking back eating bonbons. I don't know of anyone sitting in this House right now that's doing that, that is skipping days in the House, that is calling in sick, that isn't doing a share of their caucus load or their committee load or their critic load. You can probably argue that some people work harder and read more stuff and that some people take longer lunches. Yeah, yeah. Go ahead and argue it. I don't see how that's getting us any further forward here.

I think what's important for us to understand is that there are differences in the constituencies we serve. Driving is not a factor for me. I can remember the previous member for I think it was Cypress-Medicine Hat, who eventually when he resigned said: "That's it. I just cannot do those five and a half hour drives from Edmonton back to Medicine Hat anymore. I've had it." Fair enough. I drive, as you know, hardly at all. I walk almost everywhere, and you know what? I can walk across my constituency, if I really get going at a good clip and I'm already out of the river valley, in about 40 minutes. So driving is not a factor. Those are not comparisons for me. But I am not going to . . . [interjection] If you want to dis me, there is a five-minute opportunity for you to get up and slag me at the end of what I have to say here, and I'm sure you'll take advantage of it.

If there's an event in my constituency, everybody knows where I am. They know I'm not very far from them, and they expect me to be there. There's no excuse for me not to turn up because, you know, I'm so close I can just – and I'll put it in quotes – pop by. So there is great expectation that I am going to be at every single event that's happening in this constituency. I can't say to them: "Sorry. I'm in Edmonton, and I just can't get to whatever is the list of events that you have. I won't be back in the constituency until, you know, Thursday night at 8 o'clock, and I'm happy to go to something then." No. Monday morning, Monday lunch, Monday night, Saturday, six, seven events on Sunday: I'm expected to be at all of them. So it's different. That expectation is not held for some people, but there's also no burden upon me to drive around. Constituencies are different.

5:00

My constituents want to know why their votes can be valued so differently, why we end up with such a difference in the spread of

votes that are required, why the vote of an Edmonton-Centre constituent is not of equal value to the vote of someone in Cypress-Medicine Hat or in Little Bow or anywhere else, to make sure that my ability to represent my constituents is essentially the same as another member's ability to represent their constituents. This is not about how hard you're working. This is about whether it's actually possible to do these things.

I remember having a conversation once with the Member for Edmonton-Riverview. He said: I just don't understand how you do your work in your constituency office. I think we had a STEP student that had worked in my office, and they went to work in the Member for Edmonton-Riverview's office, and the student had been talking. Yeah, I do a lot of casework. I mean, I represent people whose household socioeconomic demographics range from millions of dollars worth of real estate in the penthouse of a condominium high-rise overlooking the river valley to the homeless guys that are sleeping underneath the bridge behind my office and everybody in between. I have the widest range of household incomes in the province. Fair enough. Okay? Good. Move on.

How do I represent them? He said that, you know, when people come to see him, they want to talk policy; they want to see their MLA and talk policy; they want to express their opinion. My constituents don't do it that way. They e-mail me if they want to express an opinion on a current issue, or they phone and leave a message on the voice mail, or they phone and leave a message on my cellphone, or whatever. The people who come into the office need help, and they need casework. They don't actually need me to do it. They need someone to do it, some staff to help them through it.

The way we work is literally different than everyone else. I don't have 32 municipalities that I deal with, but I do have half a dozen community leagues, six to 10 BRZs, a couple of city councillors, three or four school board trustees, half a dozen ARPs, a bunch of multimillion dollar NGOs that serve a number of constituents not only for me but for others, head offices of a number of other agencies and companies. Can I compare it directly across there? No. Do I have my attention pulled in as many different directions as somebody with 32 municipalities? Yeah. I mean, I can match them 32 to 32 if that's what is important to you. But I understand that it's a different way of going at things.

What's important to me in what we're contemplating here is a couple of things. One, I do not believe we need more MLAs. I look to our neighbours, who just had an election. They've just elected 79 members in the province of B.C., which has a significantly larger population than Alberta does. They also have a very wide diversity of urban density versus rural density. I think their average, or their mean, is 75,000 people. I've always thought: "Well, what's the matter? Are we wimps or what?" I think what it is is that we, in fact, could represent that many people, but we would need to approach things differently. We would need to make use of technology. Some things we wouldn't be able to do in the same way as we've been able to do them.

I don't know that it's about having more MLAs in place. I think it's about how well we serve people. That doesn't necessarily mean that every individual is going to get face time with an MLA and that that's the definition of effective representation. I challenge that. I don't think we need to have four more MLAs. I think what that is about is the distribution of boundaries so that we can keep a whole bunch of rural seats and give a few more urban ones, but we'll see how this plays out.

I think the other thing that's important as part of this process is that we look at how that matrix is developed and what's included in the matrix and what's not. I think that matrix is very unfair, and it does not take into consideration this diverse Alberta that we are in

today. I think it's very backward looking. It, for example, takes into consideration not at all a diversity of language in a constituency. Lots of you have many different language groups in your constituencies now. I must provide translations for the work that I do in my community. It's not an option for me. But that matrix doesn't recognize that at all. It does not recognize that I have to provide a level of casework that other people don't even contemplate. It's not even considered in that matrix.

I think that matrix is very old-fashioned looking, very backward looking, and needs to be redone and updated. That's what our funding for our constituency offices is based on. You know, that point system that is worked out there very much advantages certain things and very much disadvantages other ones, and I would argue that there is a bias against the urban ridings on that one.

I know that I'm nearing the end of my time, and I'm looking forward to a robust discussion on this. I know you guys need this by the summer, but for heaven's sake, you've got until June 4. There's lots of time to work this through committee and third. There's no need to run it through in the middle of the night. I'd really be interested in hearing what different people have to say about the challenges they face in representation and what they think would be the best changes.

Thank you very much, Mr. Speaker.

The Deputy Speaker: Hon. members, we have five minutes for comments or questions. The hon. Member for Peace River.

Mr. Oberle: Thank you, Mr. Speaker. I have a couple of questions for the member, and I ask these in absolute good faith. I don't for a second poke any darts in that direction nor suggest that she works more or less or harder or not as hard as I do. The argument is essentially that all Albertans are entitled to equal representation, and we're fundamentally not different people regardless of where we live. Why can you make that argument but then suppose that in a rural constituency the constituents don't expect the MLA to pop in, as you put it? My constituents do expect me to pop in. When I pop in in La Crête or Rainbow Lake, it's a nine-hour return trip from my home in Peace River. Never mind coming back to Edmonton, it's a nine-hour return trip from my home in Peace River. So popping in is certainly an issue. I always found it amusing coming back to Edmonton on Monday morning and sharing office space with the Member for Edmonton-Castle Downs, who would always tell us he went to four functions on Saturday and five on Sunday. I go to one, and that's a day for me, a nine-hour return drive.

I guess I'm wondering, and I would ask the member: is there some line – and I don't argue that my constituency or any other rural constituency at the moment is over the line. Would the member allow that there is some line, some situation where it's harder to reach constituents in one constituency versus another constituency and that in the interests of fair representation it might be advisable to recognize that there is such a line? The courts themselves have recognized that there is, in fact, such a line. I'm wondering what the member would have to say about that, Mr. Speaker.

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

Ms Blakeman: Well, I think the point of that and the point that I was trying to make – and I'm sorry that the Member for Peace River didn't get it – is that there are a number of lines. That is the point. There are different challenges that each of us face, and what the Electoral Boundaries needs to recognize and what that commission . . . [interjections] Well, if this was just an opportunity to slag me, then I guess you've had your fun. There you go.

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

5:10

Mr. McFarland: Thank you, Mr. Speaker. I just have a question for the member opposite. She made reference to the province to the west, our neighbour B.C., and the fact that they had 79 seats up for re-election, a population of something over 6 million, and that they didn't need to see an increase in the number of MLAs. Well, I would like to remind her that, in fact, they increased the number of seats. They had six more. They elected 85 seats last night. Just out of curiosity, for a Liberal Party in B.C., they must have felt the need for some sort of extra representation, and apparently that was part of the mandate given to them last night because prior to the election they held 42 seats. Last night they won 49. As I said before, they moved from 79 to 85 seats, so they've added six seats in their Legislature.

If you care to respond to that, that's fine. If you don't, I just wanted to correct the record, that, in fact, they weren't staying the status quo. They have had a substantial increase in their population, as Alberta has. I just checked it on the website, actually, to make sure that 85 was the correct number, and if I'm wrong or if the information I have is wrong, I'd stand corrected.

While I'm up on the floor, though, I, like the Member for Peace River, from Rocky Mountain House – if you recall, a couple of weeks ago two of our members got awards for 20 years of service, Lesser Slave Lake and Rocky Mountain House. I found it rather interesting when the Speaker made a commendation to them that each of the members in those two ridings, although they can't walk across their riding in 40 minutes, had to travel the equivalent of two trips around the earth just to do the normal travel. I'm not unlike that. I max out at 80,000, and I lose track after 80,000, as the Member for Peace River does. It's a five-and-a-half hour drive. Most people don't realize that those of us that are driving that kind of time spend 13 weeks a year driving to and from Edmonton and around our constituencies. That's more than a lot of people get just for holidays each year. I guess I, along with one of my colleague members, the Minister of Employment and Immigration, have the dubious distinction of having one of the two hardest ridings to represent in the province according to the report that came out on the last Electoral Boundaries Commission.

The Deputy Speaker: Now back to the bill. Does any hon. member wish to speak on the bill?

Seeing none, the chair shall now call the question.

[Motion carried; Bill 45 read a second time]

Bill 43
Marketing of Agricultural Products
Amendment Act, 2009 (No. 2)

[Adjourned debate April 29: Mr. Griffiths]

The Deputy Speaker: The hon. Member for Calgary-Currie.

Mr. Taylor: Thank you, Mr. Speaker. I would like to get up and join second reading debate on Bill 43, the Marketing of Agricultural Products Amendment Act, 2009 (No. 2), and register my opposition to this bill.

I am a city boy. I have been a city boy all my life. I have never pretended to know my way around a farm. In fact, back in my past life, from time to time agricultural issues would come up for discussion, as they would do from time to time on a radio station with a signal like CHQR that covers about half this province and a

good chunk of Saskatchewan and down into Montana as well. Whenever they did on my show, I would always hasten to point out that what I don't know about farming or ranching or producing crops or producing livestock would fill the Library of Congress, no doubt. So when we had to discuss those things, I always relied on our listeners who actually made their living that way to guide me through it and help me understand what was going on. It seemed to be a fairly effective way of dealing with the subjects, and I think we built up some good relationships, some of our rural listeners and I, over the years on the radio station. I have found out since this bill hit the fan, I mean hit the floor, that those relationships still exist. I've heard from a lot of people who produce livestock for a living, and they ain't happy, Mr. Speaker. They ain't happy at all.

Now, as I've said in the past and as I say to them, even though I know theoretically the process by which steak arrives on my dinner table, as a city boy I still tend to kind of suspect that it comes from the back room in Safeway or Co-op. You know, that's kind of the default position. So if I say something dumb during debate – remember there are no stupid questions, just stupid politicians and stupid interviewers – I beg the indulgence and the forgiveness of the agricultural community. I'm trying to keep on topic as much as possible and keep this as accurate as possible.

I do think that I now understand check-offs. I understand that check-off is not just the navigator on the *U.S.S. Enterprise*. There was a time, Mr. Speaker, when that's what I thought a check-off was, and we are not looking for nuclear 'wessels.'

Anyway, what I have been made to understand or have come to understand in the last couple of weeks since this bill hit the floor is that there are an awful lot of beef producers, pork producers, lamb producers, and potato growers as well who are not happy with the intention and the direction of this bill, which would require producer commissions to grant their members the option to seek refund of mandatory check-offs, mandatory service charges, in the beef, pork, lamb, and potato business. As the beef producers have pointed out to me, those beef producers who've spoken to me about it, there are about 28,000 of them in this province, and there are about 100 really big guys in the beef-producing business. There are about 28,000 cow-calf operators, smaller folk who maybe run a couple to a few hundred head of cattle in their operation, as opposed to the feeders, who maybe deal with a couple of hundred thousand head of cattle over the space of a year, something like that. It's the 100 really big guys who want this; the 28,000 normal-size guys don't want this.

See, this city boy brain says that the 100 big guys who feed the 100,000 or 200,000 head of cattle a year and fatten them up so that ultimately they end up in the hands of Cargill or Tyson or one of those organizations and then at horrendous markup end up on the shelves at Superstore and hence from there to the Taylor family table wouldn't be anywhere without those 28,000 normal-size guys who are growing the cows 100, 200, 500 at a time. I think the 28,000 ordinary-size guys are more important members and producers and contributors to the food chain than the 100 big boys. I really do. I think that without the 28,000 little producers the 100 big boys are sunk.

5:20

Now, I'm probably missing something here. I'm probably missing some fundamental of agricultural or agribusiness economics that would play out like this. If we can get refundable check-offs so that we don't have to contribute \$3 a head times several hundred thousand over the years to Alberta Beef Producers or the pork producers or the lamb producers associations and we can just hang on to that money given that we already get to, as I understand it – and this is how it's been explained to me by farm folk, who know a helluva lot more about this than this city boy does, you know. They

already get to discount what they're going to pay the normal-size guy when he sells them a cow or sells them a calf or sells them an animal for them to fatten up if their input costs have gone up. They get to discount what they pay the producer by the amount that their input costs have gone up, more or less, so they get to hang on to that, and they get to hang on to the refundable check-off.

Maybe there's something about the economics of agribusiness that says: if we can do that, then we can drive enough of the normal-size guys out of business, and then we can corner that part of the market, too. Or we can just turn the normal-size guys who have this preternatural compulsion, that no city boy could possibly understand, to stay on the land and produce food at sometimes abnormally low prices paid to the producer on behalf of those millions of us who actually live in the city and still suspect somehow that the steak comes fully formed right out of the backroom at the butcher department at Safeway, you know, that these folks can in effect be turned into indentured servants of the big boys of agribusiness. You know what? I just cannot wrap my urban-raised, fast-food-fed city boy brain around the notion that that can possibly be good for the people of Alberta and the people of Canada, for their economic well-being, their health, the environment, or anything else. It doesn't add up to me.

It adds up for me that a normal-size guy who runs a few hundred head of cattle and has this preternatural compulsion to stay on the land, whether it actually pays or not, and to do this farming thing because it's in his blood, because he views it like a craft, like a piece of artisanship almost, you know, has more of a stake, no pun intended, in making sure that his animals are well cared for, that they're well raised, that they're healthy, that they're in good shape when he sells them than somebody who's just running these things through, you know, looking at a few hundred thousand head of cattle and seeing how many quarter pounders with cheese they'll turn into, you know – no slam, no offence against McDonald's – or how many T-bone steaks at Superstore, however you want to measure it.

I think this bill does a disservice to some of the hardest working men and women in the province of Alberta. It does a huge disservice to them. As I did earlier when we were debating Bill 44, I'll offer another challenge to government members opposite in committee to try and convince me, although I feel more like a state representative from Missouri today because of my skepticism than I do a provincial representative from Alberta, that this bill somehow translates into a benefit for anybody but the hundred or so big boys, that this actually will open up world markets in a way that no other strategy or initiative or approach could to our beef and our pork and our lamb and our potatoes, that without this the whole agricultural sector is going to collapse like a house of cards. Mr. Speaker, I don't believe it is.

What I do believe is that the passage of Bill 43 is going to inexorably and negatively alter the production of beef and pork and lamb and potatoes in this province. It's going to negatively impact the agricultural sector in this province. I think we're all going to be the poorer for it, and that would be very unfortunate. These folks – and I'm just talking about beef producers right now – these 28,000 normal-size, ordinary-size folks and their counterparts who produce lamb and produce pork and produce potatoes, some of the finest beef and lamb and pork and potatoes you will find anywhere on the planet, these folks are themselves hard working, the bedrock of our society, and in many cases the product of many generations of the bedrock of our society, families who have been on the land and who have been producing for several generations now. I think we owe them something better than this. I think this does them a real disservice.

Maybe, just maybe, somebody can come up with a compelling

argument in committee to convince me otherwise. But as I said before, Mr. Speaker, I think that'll take some doing.

Thank you.

The Deputy Speaker: The hon. Member for Whitecourt-Ste. Anne.

Mr. VanderBurg: Thank you, Mr. Speaker. I have a constituent – her name is Florence Henning – in Whitecourt-Ste. Anne. She's a well-respected agricultural producer and a member of the Alberta Lamb Producers association. For the record, she asked me to stand up and express her concerns, and maybe the mover of the bill can comment on this in Committee of the Whole.

She has some concerns that under the Alberta government's Bill 43 all of the \$1.50 check-off paid to the Alberta Lamb Producers will be refundable to producers. Alberta Lamb Producers is a voice to governments and the Alberta Livestock and Meat Agency, and the check-off enables access to industry development funding. So she wants to know: how will producers be represented provincially and nationally should the majority of large producers claim a refund?

As well, she's concerned that choosing the refund will not always mean that producers do not support Alberta Lamb Producers. It just may mean that in these economic times more dollars available to the producers to cover things like the bluetongue insurance premium might be more important. Neither the Alberta Lamb Producers nor the Alberta government have been lobbied by sheep producers for a refundable check-off, so she's asking: why is the government including the Alberta Lamb Producers in Bill 43? That would be denying the sheep producers the fundamental right of choice for a democratic vote on this issue before it's made law.

Those are the points that are raised by Florence. I told her and I made a commitment to her that I would raise this in the Assembly, Mr. Speaker. I look forward to the comments from the mover of the bill in Committee of the Whole.

Thank you, sir.

The Deputy Speaker: We have five minutes for comments and questions.

Seeing none, I'll recognize any other member who wishes to speak on the bill. The hon. Member for Calgary-Varsity.

Mr. Chase: Thank you. Following the hon. Member for Calgary-Currie's lead, I may be a city slicker, but I'm not a city sucker. Prior to this bill I thought that check-off was the last name of Anton Chekhov, who wrote the play *The Cherry Orchard*, that I had the pleasure of viewing in Stratford, Ontario, during my high school days in the 1960s.

What this Bill 43, the Marketing of Agricultural Products Amendment Act, reminds me of is what this government tried to do to the Canadian Wheat Board. They were opposed and spent I think it was in the neighbourhood of \$3 million trying to undermine the authority of wheat producers all across western Canada because they felt that it was individuals' rights to market their grain on their own as they saw fit. When I think nine Alberta individuals were arrested for trucking their grain across the Montana border, this government took great offence to the fact that these poor men, who were entrepreneurial individuals, were so badly treated and hauled off to jail. Well, all I see Bill 43 doing is centralization, monopolizing, concentration of power in the hands of the few at the expense of the many, as the hon. Member for Calgary-Currie so adeptly pointed out.

5:30

This bill takes away the democratic rights of producers under the

act to conduct a plebiscite to amend their plans to determine whether or not service fees, check-offs, should be refundable. This act by the government appears to be a retaliatory action against the Alberta Beef Producers for criticizing the implementation of the Alberta Livestock and Meat Agency and is also being made in the interests of the big corporate feedlots, who will benefit from the refund of hundreds of thousands of dollars in service fees. It's not in the interests of the small producers, as the hon. Member for Calgary-Currie mentioned. He numbered them in the area of 28,000.

The government has said that this is about choice for producers to determine whether or not their producer organization is doing a good job of representing them and, therefore, to request a refund of service fees if they feel the organization is not doing a good job. However, the reality is that producers already have the choice through a plebiscite as set out currently in legislation. This move by the government is aimed at supporting the interests of the big corporate players in the industry.

If democracy is important – earlier we discussed Bill 45 with regard to electoral boundaries, and we talked about representation by population – then the interests of the majority of individuals who are small producers have to be taken into account. During the BSE crisis we saw what happened when foreign-owned outfits slaughtered their own feedlot cattle first. The smaller feeders didn't get a chance to even have a play in the market. Then this government sent out cheques, of course, based on the per-head and the per-slaughter capacities. Again, the American feedlot owners did extremely well at the expense of the small producer and the family farm or ranch. This is what Bill 43 is doing. It's a pure case of bullying.

There are approximately 20 agriculture marketing boards and commissions which engage in various activities to support their industries, lobby government, and promote their products and producers. Some examples are Alberta Beef Producers, Alberta Barley Commission, Alberta Beekeepers, and Alberta Milk, just to name a few. Currently the majority of these boards and commissions allow for refundable service fees, sometimes referred to as check-offs, which are charged at the sale of a product or animal.

However, four do not. Those four are the Alberta Beef Producers, Alberta Pork, Alberta Lamb Producers, and Potato Growers of Alberta. They represent the greater majority of producers in this province, and they're the ones that are being targeted. There are a number of reasons why these four are not refundable. The government is proposing in Bill 43 to make all of these check-offs refundable.

Currently under the act producers have the ability to conduct a plebiscite on matters relating to the amendment of their agricultural board or commission plan, which sets out how it operates. How democratic: a plebiscite. This would allow producers to hold a plebiscite to determine whether or not the plan should be changed to make the check-offs refundable. Many producers in the beef industry are outraged that the government has not allowed them to make their own decisions.

Now, whenever I raise the issue in terms of government stewardship or the importance of governance, I'm accused of promoting some type of a Liberal nanny state. Well, if this isn't an example of a nanny state and the government treating small producers as their wards or children, then I don't know what is.

There is also a concern that these are actions the government has taken to weaken the Alberta Beef Producers as the ABP last year released a letter to its members which was somewhat critical of the government's recent livestock and meat strategy. Concerns were around increased burden on small producers and lack of consultation with small producers, more evidence of bullying.

Further, this move to make these check-offs refundable is seen as

acting in favour of the big corporate feedlots, who stand to gain quite a lot given that they manage such large amounts of cattle. The check-off is currently at \$3 per head of cattle. Some in the industry may be in favour of this bill, but the majority do not see it as of any advantage to them.

In situations of crisis such as BSE and now the problems facing the pork industry with H1N1 influenza, otherwise known as swine flu, these producer associations play an important role in promoting products and making sure that misconceptions are addressed head on. Weakening these organizations by making check-offs refundable means that there will be less funding to engage in these promotional activities. The big feedlots also benefit from the promotion of Alberta beef, yet their dollars will no longer be going towards these organizations if they choose to request a refund for their check-offs, which they most likely will.

It reminds me of some of the sort of simplistic comments about Texans and, you know, bigger is better or bigger is more beautiful. This province was built on the sweat and labour of men and women and not on agricultural sweatshops, with large producers dictating to the family farm to either get in line or get out. We don't need more corporate farms in Alberta. We have enough. What we need to be supporting are the family producers.

Bill 43 basically ignores a hundred plus years of Alberta history. Therefore, for that reason and many others that I will allow other members the possibility to bring forward, we are opposed to Bill 43, Marketing of Agricultural Products Amendment Act, 2009 (No. 2).

The Deputy Speaker: We have five minutes for comments and questions. Does any hon. member wish to take that five minutes?

Seeing none, the hon. Member for Little Bow.

Mr. McFarland: Thank you, Mr. Speaker. As with my colleague from Whitecourt-St. Anne, I, too, have a number of constituents who've asked how I was going to represent them. I find myself in a very awkward position. For those of you who may not know, our riding has the largest number of confined feeding operations and some, if not the biggest, feedlot operations. We also have a lot of cow-calf operators, backgrounders, grassers. As well as having a unique meat, poultry, swine industry in our riding, we have probably the second-largest number of potatoes grown in the province. Along with my colleague from Cardston-Taber-Warner we have between the two of us the two largest potato processing plants: Lamb Weston, outside of Taber, and McCain, just outside of Coaldale.

I have to say that in 17 years I've never had the Potato Growers approach government, that I'm aware of, for anything until this bill came up. I find it really rather difficult when anyone that has contacted our office from the Potato Growers who are not in favour of being rolled into this marketing amendment act has asked me how I'm going to vote on it. When I've pursued the question here, I've been told: well, if this group is as strong as they say it is, people shouldn't really be requesting a refund, and therefore everything should continue as it is.

I have to ask the question: but what if it doesn't? Like many industries – the cattle industry, potato growers, probably lamb – there are always a few very large operators. The question at the back of my mind that I have to have answered fairly soon: what if those two or three of the very largest request a refund and don't reinject it into the system for advanced research, marketing, and so on? If, in fact, they don't, then I'm more worried about the repercussion afterwards, that in fact without that cash flow of money going back into research and marketing development, the groups that have represented these different industries will then come back to government and say: well, we can't do it without your help.

5:40

That's the quandary I find myself in because we've been told that this is the last bailout, subsidy program of any kind that we're going to have. But if, in fact, a few of the largest producers in any one of these areas were to pocket their refundable check-off – which is their money; they paid it – if they didn't reinvest it in research and market development, there's going to be a shortfall. That's just my impression of it.

For that reason, Mr. Speaker, especially from the point of view of the potato growers in our riding, I have a problem supporting the concept of potato growers being included in a meat problem, that seems to be the impetus behind this bill. I know that it won't curry a lot of favour, but as the representative for a constituency that probably has, along with my colleague south of us, in excess of 80 per cent of the potatoes grown in Alberta I find it very difficult to support the bill as it is, without excluding the potato growers from it. I wanted to get that on the record on behalf of my potato grower constituents, especially.

As far as the cattle and beef, I know a lot of these people in the industries, and they're on both sides of the issue, whether it's the Western Stock Growers', Alberta Beef Producers, the Cattle Feeders' Association. Some of these individuals are on both sides of the issues, and it's much like a family fight. I wish there was another way that the family could come together and resolve their differences instead of putting me as an elected representative in the middle of it, making a decision on which side of the vote I want to go to.

Thank you, Mr. Speaker.

The Deputy Speaker: We have five minutes for questions and comments. The hon. Member for Edmonton-Centre.

Ms Blakeman: Thank you very much. I found the member's comments about the potato growers being in with the meat people really interesting. Is the member able to give me some understanding as to the size of the potato grower operations? Can you give me a yearly amount that they're under or number of employees or some idea so that in my mind I can understand whether I would be considering these as a sort of small or medium-sized operation versus a larger operation?

Mr. McFarland: Mr. Speaker, I'm not a potato producer, but I can tell the hon. member that, give or take, there are 120 potato producers in Alberta and, considering 59,000, 58,000 farms, 29,000 or thereabouts producers of various types of meat. I just don't think it's of any importance, so to speak, other than having a common thread of refundable. I buy that argument. It's just difficult for me to ascertain when 100 per cent of those that contact me from the potato growers' side – again, I may have 60 of the 120 or 50, and the average would be about three and a half circles of potatoes, which means in layman's language 550 acres. That part is incidental because they also have a dedicated check-off. Actually there are two check-offs in the potato industry; one is for research, and they have another component. They're dedicated; they're designed to be a check-off for certain purposes, and potato growers know how good that is.

The Deputy Speaker: Does any other member wish to join the five minutes?

Seeing none, now we go back to the bill. Does any other hon. member wish to speak on the bill? The hon. Member for Edmonton-Strathcona on the bill.

Ms Notley: Thank you. I'm pleased to be able to rise and join in debate on Bill 43, which is a bill that we have some difficulty supporting. There have been a number of points that have already been made. Nonetheless, I think it warrants repetition in some cases.

Generally speaking, this bill seems to me to be a bill which is about making a choice between sides in many respects, picking a large producer over a small producer or, alternatively, perhaps even doing one of things that periodically this government does, which is retaliating against individuals or organizations that speak out publicly against it and risk embarrassing it.

We know that last fall the Alberta Beef Producers – I guess it started last summer – were fairly public about their concerns with respect to proposed changes through the ministry of agriculture, the Alberta livestock management plan. There was significant concern expressed by the Alberta Beef Producers. I have no doubt that those concerns were not shared by all members of the Alberta Beef Producers. Nonetheless, it appeared that the majority of beef producers had concerns, and as a result that organization spoke out against that particular initiative of the government.

Now what we see, of course, is an initiative on the part of the government to allow the very large players within the industry to withdraw their funds and, effectively, to stunt and potentially bankrupt the Alberta Beef Producers in terms of its ability to play its role as effectively as possible. Basically, with the Alberta Beef Producers, as we all know, like many other organizations, money goes in by size and decision-making is allocated by vote. Heaven forbid that you have that kind of system in place, but some people refer to it as democracy. Far be it from me to characterize it so politically. So that's the way it works right now within the Alberta beef producers and within the pork producers and within the lamb producers and within the potato growers. Each organization has its own internal ability, its independent ability to change that formula should they determine that that formula requires change to meet the objectives of the organization and to meet fairness.

Obviously, that particular change has not come about in the best interests of those people whom the Tories spend most of their time talking to, so as a result the government is going to step in and make it happen for them. They're going to make this change under this act to allow for big producers to either (a) hold the rest of the organization hostage by threatening to take their money out and thus controlling what happens or (b) just simply taking their money out.

Not too long ago in this House we heard the minister of agriculture talking about how in terms of promoting the livestock industry and promoting the pork industry and promoting the beef industry, the marketing associations had a huge role to play in working with government to get all this kind of work achieved. It is quite true that, for instance, Alberta Beef Producers does spend a lot of its money on research, on trade advocacy, on policy development, on lobbying, and just ensuring that the issues of producers are addressed at the provincial and federal levels.

There's no question that these types of organizations do do the kind of work that the minister of agriculture not too long ago was suggesting should be left to those organizations in answer to our suggestion that maybe government should be stepping in periodically to help them out.

5:50

It's really quite interesting that now we're moving forward with this initiative, which is clearly designed to either fracture that organization or to give power in that organization over to those with the most resources and take it away from those with the most support within the organization because, of course, those positions within, for instance, the Alberta Beef Producers that have the most support

are not ones in many cases that those who pay the most dues themselves support. So the government has kindly chosen to step in and to make sure that Agricore in whatever capacity is well represented and has the ability to have even more control and influence over these organizations so that hopefully in the future the government will never be embarrassed by them putting out any releases or reports critiquing their proposals.

Needless to say, we don't support that initiative. We don't think that that is in the best interests of the industry. We still think that the small producer is someone that the government should support and try to encourage rather than embarking on policy after policy after policy designed to push them out of the industry. Unfortunately, again, the government doesn't agree with that. As has already been mentioned by the previous speaker, the Potato Growers of Alberta have also expressed their concerns about this initiative. It's interesting. The Potato Growers, although a much, much smaller organization – the member opposite did an excellent job of describing the dynamics within that organization, did an excellent job describing the consequences of this bill to that particular organization and how it would happen. As he said, there are big producers, and there are little producers. The big producers do most of the funding, and the little producers have a democratic right to participate in how the associations are run.

Basically, if we pass this bill, the big producers will now have the ability over the objections of the democratic process within their association to pull their funding. The government will by regulation give itself the ability in cabinet to overrule the democratic decisions of these producer associations. Just as the member opposite suggested that he did not want to be in the position of being like in a family fight and picking winners and losers, I agree. It's not up to us to pick winners and losers, yet apparently the government or some members of this government think it is up to us to pick winners and losers. Their plan, not surprisingly, is to pick the bigger players on the field and just make sure that they have even more opportunities at their disposal to carry on their growth at the expense of other members within the industry.

Generally speaking, we do not agree with this bill, and I don't believe that it can be saved by simply exempting the potato growers. Certainly, the lamb producers, the potato growers, and, of course, a number of people within the Alberta Beef Producers have strongly stipulated their very real objection to this bill. This is not about choice. This is about picking winners and losers and a very small number of winners at the expense of a very large number of losers. It is a bad choice.

Thank you.

The Deputy Speaker: We have five minutes for comments and questions, hon. members.

Seeing none, on the bill, the hon. Member for Calgary-Buffalo.

Mr. Hehr: Well, thank you very much, Mr. Speaker. Just coincidentally, I was actually at a wedding recently, and there was a gentleman there by the name of Earl Hale. He is a cattle producer outside of Strathmore. Mr. Hale also taught me and coached hockey when I was younger. His son played for the Lethbridge Hurricanes. Anyway, they're both involved in the beef industry. I said to him: "Mr. Hale, up here in the Legislature we seem to deal with a lot of stuff that deals with livestock, agriculture, feedlots, all this sort of stuff. Maybe you can tell me a little bit about what's going on in the industry. Is the family farmer able to make it? Are the feedlots

making money?" On that comment he said: "Oh, yeah. Someone is making money. It's not the family farm here, but it is the feedlot."

I said, "How does this happen, Mr. Hale?" He said, "Well, let me tell you something here, Kent." And someone can correct me if this is wrong. "These guys get paid when they feed cows. So if they've got 6,000, 7,000 cattle sitting there, they get paid for every cow they feed a day by the Alberta government. Then guess what? They get paid when they kill those cows, too. Okay? So they get paid on the front end, and they get paid on the back end." If Mr. Hale was right, what he was saying with that story is that the big guys are getting paid. Okay? They're getting paid some good money by this government to do this sort of stuff.

My follow-up question then was: "Well, how are the family farms doing, the people who are ranching and who are doing this stuff?" He said, "Well, you know, I guess that if they inherited their farm, maybe they're plugging along, doing okay, but if someone really wants to, say, stake their claim, take \$250,000 and say, 'I'm going to go start a farm, and I'm going to run some beef on it,' well, that's not available anymore here in Alberta."

Maybe, just maybe, this bill has something to do with that story I heard at that wedding just on the weekend. I bring that up now just sort of to give a little background and a little bit of personal feel to, I guess, my comments on the bill.

Again, my understanding, like individuals' who have spoken before me, is that this is a bill designed to support the larger players in the game. It supports the big producers, the big feedlots who are already, I would assume, making a buck or else they wouldn't still be in business because they have shareholders to answer to and all that sort of stuff. But then if you look around, there are all these people who are seemingly upset about this, and they're called the little guys. Whether they're actually little or not, I don't know, but it's a euphemism for, I guess, smaller players in the industry than the big feedlot. Do you know what I'm saying? So I think I'm painting a pretty clear picture of what this bill is seeming – David and Goliath, to use a Biblical reference. Hopefully, no one here is going to take offence at that, being that Bill 44 is about to come into law, but there are no students here.

Nonetheless, I'll get back to the bill. Currently under the act producers have the ability to conduct a plebiscite on matters relating to the amendment on their agricultural board's or commission's plans which set out how it is to operate. This would allow the producers to hold a plebiscite to determine whether or not the plan should be changed to make these check-offs refundable. Many producers in the beef industry are outraged. These are the little guys.

When I say that many producers in the beef industry are outraged, those are the little guys, Mr. Speaker, just to make sure you're following along. Those are the little guys, and they are outraged, extremely outraged that the government has not allowed them to make their own decisions through a plebiscite and that their democratic right is being taken away. It's amazing how things run their course. It's sort of like city folk here don't understand why a rural vote is worth more than a city vote. That representation by population we were talking about earlier, democracy? Democracy seems to . . .

The Deputy Speaker: Hon. member, I hesitate to interrupt, but it's 6 o'clock. The House stands adjourned until 7:30 tonight.

[The Assembly adjourned at 6 p.m.]

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