



Province of Alberta

The 27th Legislature  
Second Session

# Alberta Hansard

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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

7:30 p.m.

Wednesday, May 13, 2009

[The Deputy Speaker in the chair]

**The Deputy Speaker:** Please be seated.

### Government Bills and Orders Second Reading

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

[Debate adjourned May 13: Mr. Hehr speaking]

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. I'm pleased to rise and speak in second reading of Bill 43, Marketing and Agricultural Products Amendment Act, 2009 (No. 2). This has been very interesting this afternoon, listening to the debate on what was going on here. It really started to play out for me as a battle of opposites, if you will. It's about the large producers versus the smaller producers. It's about a small group that has chosen to have a check-off and to continue to use it for their own membership to do, for example, work on policy or regulatory issues, production research, promotion campaigns, animal health and welfare concerns and follow-up, communications – ah, yes, the famous communications line – land use and environmental stewardship. I'm sure they had some input there into what's being considered under Bill 36.

I think this also is an issue of an intersectoral dispute, if you will, which is something that politicians usually avoid. I think that's partly what I heard the Member for Little Bow saying. You know, none of us is keen to get pulled into an argument. Let me just give a little explanation of what I mean there, which may not necessarily pertain to the issue in front of us with the group that's being captured under this particular act.

It's not uncommon for us to be approached by a group that's a splinter group off somebody else or slightly different from another group, and they want the MLA to sort of say that they're the right ones. "Pick us as being the official voice for this group. We're the ones that should be legitimate and get the grant or get the support." Certainly, it's the policy in my office that we do not get involved in those. We say: "Look, we're not here to pick winners and losers out of your group. You know it best. You guys figure it out. When you've figured it out, come back and let me know where you want to go from there. I'm happy to work with all of you or the ones that you elect to represent you."

It's a bit of what's going on here. The Member for Little Bow was really good at sort of drawing out that we had four groups that had come together because they are the ones that remain out of all the other agricultural producer associations that still have a service charge, which they call a check-off, which they're then using for a number of the reasons that I listed earlier. It's a bit of an odd matching because you've got – just let me get this straight – the Alberta Beef Producers, Alberta Pork, Alberta Lamb Producers, and then the Potato Growers of Alberta.

The potato growers, for obvious reasons, are a bit of the odd group out here. They're also quite a small group compared to the number of producers that are involved in the other three areas. Additionally, they're not as large a producer as you would find with the beef producers or the pork or the lamb. They've been captured in

something that, I think, based on their letters to the government, they're not too happy about being captured in. As the Member for Little Bow put it, the potatoes are caught in the meat problem. Oh, if it was a little later at night, we'd have some good puns going, but it's not quite late enough for that, so I'm just going to keep going.

I also see this as being a dispute or a difference between what I would call a corporate farm or a large organization like an intensive livestock organization – they go by a different name now: confined feed operation – and a family farm or a smaller, locally owned farm. But, essentially, what we've got here for some reason is the government injecting itself into a sector that didn't ask for help. It doesn't look to me like any of those four groups came to the government and said, you know, "Please change the legislation and take away our ability to decide for ourselves," which they've clearly done, and they continue to be able to do. They're self-empowered through their collective organization to be able to hold a plebiscite, amend what they're doing, elect different people, amend their board or their committee, set out a different plan on the way they want to manage themselves. They're allowed to do that. They could even change whether or not they have the check-off system in place that they currently have in place.

It doesn't look to me like they asked for the government to inject itself into this and to change the rules, and I haven't seen a compelling argument from the government as to why they would be doing this. I'm tempted to say in my own colloquial manner: butt out. They didn't ask for you to be coming in and doing this to them. They clearly don't want this to happen to them. So with all possible due respect, maybe the government could just butt out because I don't think this seems to be solving anything.

More than that, the government once again seems to be picking winners and losers and deciding that they're going to favour the larger over the smaller. This always I find really interesting because the government likes to put itself out as the sort of saviour of the farmer and the family farm and the ones that are interested in promoting business interests and that this is the party of the marketplace and the free marketplace, yet every time I turn around, I see them do something like this, which flies in the face of all of those claims and, if anything, certainly is not supporting local over global. It's not supporting the local farmer, the smaller or mid-sized operation here over a multinational corporate farm that's owned by somebody outside of Canada. So the government makes a claim about one thing, and then its actions belie its policy statements.

I wouldn't usually join into a conversation or a debate about this, but I've listened to enough of this and read correspondence and press releases from the potato growers and letters from the beef industry and all kinds of *Hansard* clippings and the old marketing act, version one, and it just strikes me that this is a really unnecessary intrusion for the government to get involved in. So I'm going to come down on the side of these four producer associations that have an agreement on their check-offs and say: more power to them, and, government, back off and butt out.

Thank you very much, Mr. Speaker.

7:40

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

Seeing none, then I will recognize the hon. Member for Olds-Didsbury-Three Hills.

**Mr. Marz:** Well, thank you, Mr. Speaker. I'd like to take this opportunity to add my comments to this bill in second reading. Unlike most of the opposition members I do live in a rural riding, and I actually live on a farm. I've farmed most of my life. I have a

lot of people in my riding involved in the business. As a rural riding, as we've talked in a previous bill about the electoral boundaries, I get around my riding. It takes a long time, but I get to know everybody on a personal level. I tell you, these people are not shy about phoning me, and I'm not shy about phoning them. When I call them up, most of them recognize my voice; I don't even have to identify myself. So they're not shy in calling me about issues that are near and dear to them.

So far on this particular issue I've had 10 either letters, calls, or e-mails, representations, and I think I've called all of them back except maybe one so far and was able to talk to them personally on this. They're not all in agreement with each other on this issue, so it does create a bit of a dilemma for me. Of the 10 calls I got, eight were from my constituency, and out of the eight from my constituency seven of them were cattle producers, not all in agreement with each other, and one was representing the lamb industry. I didn't get any calls from the pork industry that I'm aware of at this time unless some got to my constituency office today. Although I've had some potato production in my constituency over the past few years, it's not an area that produces potatoes in this province, and I've got no calls on that.

To say that there's a division amongst producers in the cattle industry I think would be an understatement. That division has been going on for some time. As I looked at this bill, I had a lot of reservations about it. I thought about it a lot as I talked to people. Of course, they all want me to represent their view in the House. As I talked to them, they understood that it's not that easy because they recognize the divisions within the industries themselves.

I looked at the choices and the ideas that were brought forth to me. The choices were to stay with the status quo and just leave it alone, and hopefully things would resolve themselves. But this issue has been going on for a long time, and it hasn't resolved itself. The other option is to do as the minister is proposing in Bill 43, change it to an optional check-off. As recently as over the supper hour I heard of another option, a discretionary check-off, where it would be mandatory to have a check-off, but you could direct your money to the organization you thought would best represent you. I found that one kind of interesting as well. I haven't had a lot of time to think about that particular option or discuss it with any of my colleagues. I will be discussing it with the minister. But I wanted to bring that up tonight so the minister would have the advantage of seeing that on the record. I'm sure we'll have a discussion on that before tomorrow ends.

I just wanted to bring these issues forward. There are some deep divisions not easily resolved. I wish I had all the answers that some members in the House have that would be so easy to say: this is the right way or the wrong way. Yes, there have been some vocalizations by some organizations. It's an issue you could probably argue a number of different ways. Being a farmer myself, I used to have a mandatory check-off on canola. There were times when I felt that I wasn't being represented properly by that organization and that my money would be better spent with an organization of my choosing that I could influence more.

I just wanted to bring this up, Mr. Speaker, to contribute a bit of ideas to the debate that I'm hearing from my constituency. I'd be interested in listening further to comments from my other colleagues. Thank you.

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

**Dr. Taft:** Thanks, Mr. Speaker. I appreciate the comments from the Member for Olds-Didsbury-Three Hills. I'm sure that he's getting

a range of calls on this issue – I know I am – and I thought his comment about the discretionary check-off was an interesting one. There are other ideas here. I guess my question to the member would be: why not just allow plebiscites? Why not allow the producers to have the vote that the current legislation would allow and let them decide democratically as opposed to going this way?

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

**Mr. Marz:** Thank you very much, Mr. Speaker. I fully expected to hear from the hon. Member for Edmonton-Riverview because we have a mutual friend in the Didsbury area. I would be very surprised if he hadn't talked to the hon. Member for Edmonton-Riverview as well because he's related to him but also a good friend of mine.

The issue of the plebiscite has been brought up and debated by the industry, and there's no common consensus within the industry to even have a plebiscite. Certainly, that's supported by some members of the industry. Some feel they could win it; some feel they can't. Of course, those that feel they can't wouldn't want a plebiscite. But I think it's well accepted that the industry is almost split 50-50, which creates a much more difficult situation for all of us in this House to try to resolve this issue.

**The Deputy Speaker:** On the five minutes, the hon. leader of the third party.

**Mr. Mason:** Thank you very much, Mr. Speaker. I wanted to ask the hon. member a question because he talked about being torn and, you know, trying to decide which way to vote and so on. But it's my understanding this is a government bill, and the government caucus is supporting it, and that's pretty much how everybody in the government caucus is bound to vote. Is that not correct?

**The Deputy Speaker:** Hon. member, do you wish to reply?

**Mr. Marz:** As the Speaker would point out to you, hon. Member for Edmonton-Highlands-Norwood, and has on many occasions in the past when I was in the House to witness it, every member in this House has the right to vote however he or she feels according to their conscience. I don't have the references in *Hansard*, but I'm sure I could find them. As rusty as my memory may be from time to time, I believe that he has pointed that out on many occasions.

**Mr. Mason:** Mr. Speaker, what do we pay whips for?

**The Deputy Speaker:** Is that a comment or a question? Just a comment, I guess.

**Mr. Oberle:** Point of order.

**The Deputy Speaker:** The hon. member on a point of order.

#### **Point of Order Allegations against a Member**

**Mr. Oberle:** Mr. Speaker, 23(h), (i), and (j). I can't comment on what the whip for that party does, whether they do a good job or not, but the member is suggesting that I control the way members vote and that, in fact, I infringe upon the privilege of members in this Assembly. I don't know whether the whip over there does, and I'm not going to comment. If I were, I would have to point out if anybody could remember the last time you got two separate votes coming from that side. But that's not the role of the whip here. I object to the remark. I would ask that he withdraw it.

**Mr. Mason:** Well, Mr. Speaker, I didn't mean to imply that anybody was forced to vote any way. I'm quite sure that on every government bill every government member always votes for it, without exception, of their own free will. I accept that and withdraw my remarks.

7:50

**The Deputy Speaker:** You have 12 seconds.

**Mr. Marz:** My response was going to be, if I may, Mr. Speaker, that I know the responsibility of our whip, and he just laid it out. I was going to ask the hon. member: what's the responsibility of his whip in his party?

**Mr. Mason:** Mr. Speaker, we can't afford a whip.

**The Deputy Speaker:** We had a point of order, and the withdrawing of the statement has been done. Hon. Member for Peace River, are you happy or okay with that?

**Mr. Oberle:** Well, no, actually, but I guess I have to let the matter drop, seeing as how the remark was withdrawn. In withdrawing it, he managed another drive-by smear on the role of the whip or the Government House Leader or whoever else he intended by that drive-by smear. Our members are independent, Mr. Speaker, and I think it's important for you to stand on that principle and inform that member that he's out of order.

**The Deputy Speaker:** Well, I would advise the hon. members, all of us here, to just be careful of what we say in the House. We're all honourable members. We respect each other. Go on with the debate.

### Debate Continued

**The Deputy Speaker:** The hon. leader of the third party on the bill.

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm pleased to rise to speak to Bill 43, Marketing of Agricultural Products Amendment Act, 2009 (No. 2). Now, currently producers pay a check-off, or a levy fee, to their commission upon the sale of a commodity, which goes towards various areas of the organization. The changes proposed in this legislation would mean that producers could request that these funds be refunded.

The Alberta Beef Producers benefit the most from the \$3 check-off, which is paid on a per head of cattle basis. There are three other commissions affected by this legislation: Alberta Pork, Alberta Lamb Producers, and Potato Growers of Alberta. Currently the producers of nine commissions have a choice of a refund. That's barley, bison, canola, pulses, soft wheat, winter wheat, elk, bees, and forage seeds.

Mr. Speaker, these amendments will be phased in for each commission at the start of their 2010-2011 fiscal year. Section 3, which amends section 23 of the current act, is where the controversy comes from. It basically says that if a commission's mandate says that fee is nonrefundable, the Lieutenant Governor in Council can step in on a request from a producer and change the rules of the commission so that the fee has to be refundable.

The Alberta Beef Producers have always been against refundable check-offs, but there's a new group in Alberta called the Beef Industry Alliance, which has been pushing the government for refundable check-offs. The Beef Industry Alliance, or BIA, is made up of the Alberta Cattle Feeders Association, the Beef Initiative Group, the Feeder Associations of Alberta, and the Western Stock Growers' Association.

The Alberta Beef Producers, the Alberta Lamb Producers, and the Potato Growers of Alberta have spoken against these changes. The news release for this amendment quotes the minister, who says that now refundable check-offs can be used. If producers "feel their organization has not met their needs or provided value, they can ask for a refund. It is all about choice." Very, very common language from this government: it's all about choice.

The minister thinks that the producers in the four commodity groups dealt with in the proposed changes lack a fundamental right of choice, but really the ability for producers to make a choice regarding the check-offs already exists. In effect, these changes will actually do the opposite, remove a producer's choice. The government has taken away the producers' ability to make their own decisions on how their commissions will be run. There's already a mechanism in place where producers can democratically change the way their organization deals with check-offs by way of plebiscites and voting on procedures. So producers can ask for a refund in any case, not just when they feel their needs are not being met.

Now, I know that the member proposing this bill mentioned that only between 7 and 10 per cent of producers request refunds from these commissions that use refundable check-offs. It is possible that because the cattle industry is so big in Alberta, the percentage will increase because producers stand to take in more profit if their check-offs become refundable. When the government says that based on what has happened in the past with the other commissions, only a small amount of producers will opt out, what they don't realize or don't understand is that this pattern won't continue because the biggest agricultural industry was not part of the calculation.

Farm cash receipts from cattle sales were \$3 billion in 2008. This industry, which makes up 58 per cent, makes a significant amount of money. This money, however, becomes more and more concentrated within the larger industrial farms, while smaller family farms struggle to keep producing. If these changes are made, smaller producers are concerned that the decision-making will become based on how much money is contributed; for example, if a large agribusiness is at the table with smaller producers and declares that if the commission is not functioning the way it wants, then they will request a refund.

This makes the head of this organization have to decide between the money from big business, which helps the commission run smoothly and protects their members, and the rest of the members. This would make these organizations less democratic. The biggest contributors can threaten to request a refund. Then it makes it easy to manipulate the commission to the benefit of the richest and largest producers. There's some worry that if producers choose to have their check-off refunded, there will not be enough money for things such as legal fees. Who would then defend the industry in a legal situation?

Mr. Speaker, in a letter to all MLAs the Alberta Beef Producers' chair, Rick Burton, lays out his concerns. Alberta Beef Producers continue to tell the minister that it is ultimately cattle producers who are affected by this type of legislation and that it should be run by the producers, making the decisions on how they want their commissions to run.

The chair, Mr. Burton, of the Alberta Beef Producers has asked the minister to conduct a plebiscite of producers regarding this issue. The minister chose not to do this and amended the legislation regardless. In the letter Mr. Burton says:

Cattle producers have a choice under the Marketing of Agricultural Products Act about whether check-off should be refundable or non-refundable. We think that refundable check-off does not give producers more choice – it allows money to vote instead of people.

The Alberta Beef Producers have also said that making the check-off refundable would reduce the amount of industry funding that's available for marketing research and promotion activities.

Another letter from the Alberta Beef Producers, this time from the vice-chair, Mr. Boon, echoes some of the chair's positions by saying that the current act already allows direct and individual input through plebiscite from producers. He continues on to say that this bill does not give producers the opportunities "to make the choice of where they direct their check-off dollar . . . What it does do is allow for individuals to remove these dollars." Mr. Boon also raised a point about the advocacy that happens with the check-off funds. He said:

Currently about fifty cents of the check-off goes to [the Cattlemen's Association] for such things as trade advocacy, domestic policy, and insuring our producers wishes are being heard nationally. Reducing this funding would put organizations capabilities in serious jeopardy.

Mr. Speaker, the Potato Growers of Alberta have also issued a release which lays out concerns similar to those of the Alberta Beef Producers, that there is already a democratic process in place where producers can introduce changes to the operation of their commission. They're also concerned that the government expected them to continue to offer services to the producers even after they've had their levies refunded. Finally, he said that contrary to what the government has said, there was no consultation with the Potato Growers association about these changes. The mechanism for deciding whether or not a commission's check-off will be mandatory or not: there was absolutely no reason why the government needs to intervene in the issue. The producers have the means to make democratic changes they as a group want to make, and the government interfering in the process makes the commission less democratic because it removes the right of producers to make decisions for themselves.

We know that the Alberta Beef Producers, the Alberta Lamb Producers, and the Potato Growers of Alberta have been against the refundable check-offs, and we know that the beef industry group has been pushing for refundable fees. We also know that there are only four commissions affected by these changes. It would be good to find out what other commissions were asking for refundable fees.

Mr. Speaker, what's happening here is clear. The large producers, the big boys in the industry, don't want to pay their fees, or they want to be able to use the potential withdrawal of those fees to increase their influence within these organizations. The small producers favour the current situation with mandatory check-offs. I want to say that it is my experience that when it comes to the agriculture industry or any other industry, this government consistently sides with the big players against the small players, and that is what they are doing here. It's the golden rule of this Conservative government: them that's got the gold make the rules. That is what is happening here today.

8:00

I'm not surprised that other hon. members who represent rural constituencies are getting a lot of heat over this move because I think the large majority of producers, who are small producers, will be adversely affected by this. This is a play of the powerful and strong producers in this province, especially in the beef industry, and it will only result in accelerated concentration of ownership within our agricultural industry.

Mr. Speaker, I would urge hon. members to please consider voting against this bill as it is something that will hurt small producers and further do damage to our family farms. Thank you, Mr. Speaker.

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

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. Hon. member, I listened with interest to your questions and your answers regarding Bill 43. However, you talked about big producers and little producers. Do you have any other examples of the big producers calling the shots in the beef industry? There was that \$400 million BSE program. If you do have any more examples, I'd love to hear them.

Thank you.

**The Deputy Speaker:** The hon. leader of the third party.

**Mr. Mason:** Thank you very much, Mr. Speaker. To the hon. Member for Edmonton-Gold Bar, there's a bit of irony here because it was the Alberta Beef Producers who produced the report which showed that, in fact, when the bailout for BSE was brought forward by the government, the lion's share of the money went to the big packers, to two very large packers, Cargill and Tyson Foods at that time, who pocketed the lion's share of the public bailout money as a result of that. That was millions and millions of dollars. You know, the program was designed to favour, actually, the people who really didn't need it. The small cow-calf operations, which tend to be in some cases mom-and-pop operations, smaller types of farms, actually didn't get the help that they needed.

Most of the money went to feedlots, and the feedlots were of course controlled to a large degree by the big packers because we don't have a rule that bans packer-owned cattle, and that, of course, allows the big packers to manipulate the price. If there's a shortage and the price starts to rise, they can just put more of their cattle on the market, and they depress the price that they have to pay. So the whole deck is stacked in favour of the biggest players in our food industry, and I think that particularly applies to the cattle industry.

Thank you for the question, hon. member.

**Mr. McFarland:** Mr. Speaker, I'm just going to make it very quick. With respect to the previous speaker and hopefully to set the record straight, the largest recipients of BSE payments were not the packers. They own traditionally 8 to 10 per cent of the herd that's live and ready to be slaughtered at any one time. I don't think it's any secret that I've got the largest feedlot in the province in my riding. I'm not going to say who they are, but it's fairly obvious by the size of the operations that they would be the largest recipient.

**The Deputy Speaker:** Anybody else for the five minutes?

Seeing none, the chair will recognize the hon. Member for Edmonton-Riverview on the bill.

**Dr. Taft:** Yes. Thanks, Mr. Speaker. Bill 43 is proving to be one of the more contentious bills on the Order Paper these days. I think it's worth getting on the record a handful of things at this second reading before we get into a section-by-section analysis in Committee of the Whole.

I've had quite a number of calls and letters and e-mails on this issue, and most of them have been pretty unhappy. This is in some ways the kind of struggle that the Member for Edmonton-Centre said that we typically stay out of. This would be easy to dismiss as an internal power play within the industry, and in some ways it is, but it's a lot more than that because there's so much public funding at stake here. The simple fact of the matter is that the taxpayers of Alberta put an awful lot of money into the beef, pork, lamb, and

potato industries, especially the beef industry, so I think it's important that as representatives of the taxpayer we make some comments on this bill and that we show an interest in how the industry is struggling.

The origins of the bill seem to lie in a basic conflict between a small number of large players and a large number of small players. The small number of large players are the 40 or so biggest feedlots and related companies, who among them have a huge number of cattle. I think it's very important to state right off the bat that this bill seems really to originate with the cattle industry and that the pork and lamb and potato people are collateral damage in it as far as I can see and as far as they can see. We have a small number of companies controlling a large number of animals, and because they control a large number of animals, they have a much higher cost of check-off. It's just because it's per animal. If they've got a lot of animals, they pay a lot in check-offs. On the other hand, you have a large number of cow-calf operators with maybe a few hundred head each. It's a much smaller deal to them individually, but collectively it's a very big deal.

So it's a basic power play, as the Member for Edmonton-Highlands-Norwood indicated, between the big, powerful players and the many small players. It seems that the big, powerful players were able to get the ear of cabinet and the ear of the Premier and presumably of the Minister of Agriculture and Rural Development and basically convince them that despite whatever opposition there might be, this bill was a good idea. I know that there's some support for the bill in caucus, and I suspect there's some concern about the bill, and the Member for Olds-Didsbury-Three Hills reflected as much.

I think we need to stop briefly and just reflect on the value of Alberta Beef Producers to the industry. Alberta Beef Producers has played a key role, particularly in the last six or eight years, and they are supported by this check-off. Because of that, they've had the resources to do some very important work. The first thing that comes to mind, of course, is working in the United States and other international markets to get those markets reopened after the BSE crisis, but they do a lot of other work as well: advocating on behalf of the industry, lobbying nationally and internationally, developing new markets, doing all kinds of very valuable stuff that any good industry association should do.

A similar kind of work is done by the pork, lamb, and potato producers. I think it's important at this moment to just mention in particular the pork producers. This could not come at a worse time for the pork industry. The pork industry has taken a terrific blow in the last couple of weeks because of the H1N1 flu. Borders are being closed. We're seeing some culling, maybe widespread culling. We're seeing a drop in consumer confidence, unjustified, but it's there.

This is a time when we need the pork producers to be focused one hundred per cent on addressing those issues head-on. They don't need to worry about refundable check-offs. They shouldn't have to worry about coming to the floor of the Legislature or the Assembly and trying to sort out political issues that were never of their own making. My heart really goes out to the pork industry right now on this issue because at a time when they should be having this government one hundred per cent behind them, no questions asked, they find that they're standing on a foundation of quicksand, and I think it's very regrettable. I know as well that potato producers are very concerned about this.

Mr. Speaker, I do need to keep an eye on time a little bit, and there's an awful lot in this bill. Just to keep things moving, I have an amendment to make, so I'll just give it to the page and wait a moment while it's distributed.

May I proceed, Mr. Speaker?

8:10

**The Deputy Speaker:** Hon. member, before you proceed, I just want to remind all members here that this is a hoist amendment that you introduced. Proceed.

**Dr. Taft:** Thank you, Mr. Speaker. The amendment reads as follows. I move that the motion for second reading of Bill 43, Marketing of Agricultural Products Amendment Act, 2009 (No. 2), be amended by deleting all the words after "that" and substituting the following: "Bill 43, the Marketing of Agricultural Products Amendment Act, 2009 (No. 2), be not now read a second time but that it be read a second time this day six months hence."

Mr. Speaker, we all know the intent of these kinds of amendments. They're meant to basically stop the bill, and I think it comes down fundamentally to one principle, and that's the principle of democracy. We have a democracy that developed over many centuries. I won't go through the whole history of it. I won't claim to know it all. I have a pretty good sense of some of the key moments, but I won't go through all of that.

It's through a very gradual, sometimes bloody and often very difficult process that we've gotten to the point in our society where people don't vote according to how much land they own or don't vote according to their gender or don't vote according to their ethnic background. I think it's worth reminding that the Lieutenant Governor of Alberta's family, when they came to Canada, couldn't vote because they were Chinese. Through all of those struggles it moved the vote to universal suffrage so that whether you're rich or poor, whether you own property or not, whether you're male or female, as long as you're over the age of 18 and a Canadian citizen, you can vote. That's a huge principle: one person, one vote.

The reason I think this amendment should be accepted is because Bill 43 is enormously undemocratic. It takes us back in voting terms to the middle 1800s or the late 1800s, when you had to own property to vote, and it connects voting rights to property. In this case people will vote with their dollars, and their dollars will depend on how many animals they own. The more animals they own, in effect, the more clout they have. It's not democratic. The producers don't like it.

The Member for Olds-Didsbury-Three Hills indicated that there isn't consensus in the industry on this bill. That's why you have a vote. There are lots of times when there isn't consensus in this Assembly, and we have a vote. There are lots of times when there's not consensus, in fact there's very seldom consensus in society at large on any particular issue, but we go to votes. That's what it means to be democratic. Fundamentally, that's what it means to be Albertan and Canadian.

Mr. Speaker, I won't go through any of the other arguments at this point. I will simply drive home the message that we should stop this bill now because it's antidemocratic. Thank you.

**The Deputy Speaker:** The hon. Member for Edmonton-Gold Bar on the amendment.

**Mr. MacDonald:** Yes. Thank you very much. This amendment to Bill 43 certainly comes at a very good time. I appreciate the hon. Member for Edmonton-Riverview giving the Assembly a choice in this matter. I heard from a beef producer this afternoon. This gentleman was phoning from just east of Bashaw. He phoned our constituency office. He took issue with this bill. He took significant exception to this bill. This amendment certainly would be acceptable to that farmer, the beef producer.

When we look at democracy, flourishing democracy, the right to vote is certainly the number one principle. The hon. member talked

about age and citizenship and various other matters that are of importance when you think that it's not so long ago that certain individuals could not vote. I don't think that we should be advocating that the ownership of property is a criterion for voting. We've been through that, actually, a couple of centuries ago. Hopefully, we would never go that way again.

I can't understand why the producers themselves could not have a plebiscite. The hon. Member for Olds-Didsbury-Three Hills was talking about that earlier. To seek direction from the producers themselves, to me, is the logical way to go with this. We've had divisions over the Wheat Board in the past, and there were, I think, two votes taken to seek direction from the producers themselves on which direction the Wheat Board should take. The government got actively involved in that through the Grain Commission. We all know that the Grain Commission had picked a side on that vote, and we know how active they were. We know through the Internet that there was even at least one employee in the department of agriculture, who was from a government source, making his or her opinion known as to which way they would like the Wheat Board election to go.

Certainly, when we look at this bill and we look at the controversy that it has created by requiring producer commissions to grant members the option to seek refund of mandatory check-offs in the beef, pork, lamb, and potato industries, I see absolutely nothing the matter with allowing the producers themselves: one producer, one vote. In the case of the cattle industry, regardless of whether they have a thousand head or only 50 head, let them decide. I can see no reason why this shouldn't happen.

It's interesting to note, Mr. Speaker, that if we were to allow this amendment to proceed, it would certainly give time for a vote to be organized. Producers currently have the ability to conduct a plebiscite on matters relating to the amendment of their agricultural board's or commission's plan, which sets out how it is to operate or how it's to conduct its affairs. What would be the matter with allowing 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, including the fine gentleman that I talked to earlier this afternoon, are outraged that the government has not allowed them to make their own democratic decisions through a plebiscite, and they're very resentful that their democratic right has been taken away. If we allow this bill to proceed, I think we are showing disrespect and, in a certain way, neglect of the democratic process.

8:20

Now, there's also concern that these are actions the government is taking – I can't believe this, but I've certainly heard this – to try to weaken the Alberta Beef Producers as the Alberta Beef Producers last year released a letter to its members which was somewhat critical of the government's livestock and meat strategy, which was released last year. Of course, there are concerns around the burden on smaller producers and the lack of consultation with smaller producers. That's why I was listening with a great deal of interest to the hon. Member for Edmonton-Highlands-Norwood, who was talking about the contrast between the big producers and the smaller producers in this province. I would agree with him. There is a significant difference. The ear of the government is certainly tuned to the voice of the big producers, in my view.

This amendment certainly would provide ample opportunity for a vote to be organized and taken and counted, and the organization would have to live with the results. If that was to happen, I would certainly like to see the government stay independent and impartial,

not like it was during the Wheat Board elections. As well, I don't know how the Beef Producers would be funded and the consequences of that if the check-off was to be removed or changed or reduced.

Certainly, I know from the public accounts, Mr. Speaker, that there is the odd grant that goes the way of the Alberta Beef Producers. I don't have those statistics with me. I thought for a minute of darting down to the library and just looking them up quickly. But it's a significant amount of money. If we are to eliminate the check-off, is that how the government plans to finance the Alberta Beef Producers?

**Ms Blakeman:** You don't think it's the plan to not finance them?

**Mr. MacDonald:** Well, it's a plan of control, hon. member. You know, the strings would be pretty short, and the Beef Producers would get nervous. They certainly would not want to rock the jukebox, so to speak, and have whatever grant they are getting jeopardized.

When we look, Mr. Speaker, at the money and how it's spent . . . [interjection] Hon. member, rural Albertans are known to rock the jukebox on occasion, too. Oh, yes.

**An Hon. Member:** How do you know?

**Mr. MacDonald:** How do I know? I travel to rural Alberta. Hon. member, I also know how they feel about this bill.

Now, when we look at the \$3 check-off and how it's spent, it's interesting to note, Mr. Speaker, that 38 per cent is spent in national and international market development, promotion, and research. I would say that that's money well spent, certainly, as we get our markets back after the issue around BSE not only in America but expanding to new markets in the Far East. Operations and administration is only 9 per cent. Now, if this government had that sort of track record, it would be, like, wow, as the children would say. Environment and animal welfare is 3 per cent of the budget, or that would be 9 cents. Animal health and research would be 15 cents of the \$3 check-off. Producer communications would be 15 cents. That seems to be a lot cheaper than what the Public Affairs Bureau would provide that service for. Policy development is 18 cents. Federal and provincial government affairs is again 18 cents of the \$3. Provincial market development and promotion is 33 cents. The BSE recovery programs are an additional 51 cents. That's how the money is spent. It seems to be spent very wisely, very prudently.

I don't know what it would mean for the Beef Producers if this bill were to become law or if the government is going to provide similar amounts through a grant program. That would be one question I would have. Hopefully, if we were to pass this amendment, it would be very considerate of the government to answer how they plan to fund the Beef Producers. Through the grant programs, I would suspect, through the ministry of agriculture, but it's hard to say. It could be lottery money these days. It could come through the Solicitor General through to the Minister of Culture and Community Spirit to the Beef Producers, and of course it would be all authorized by the President of the Treasury Board.

With that, Mr. Speaker, I would certainly urge hon. members of this House to give consideration, please, to the hoist amendment presented by my colleague for Edmonton-Riverview. I think it would certainly allow for democracy to exercise itself, a vote to be conducted, and all parties to live by the direction from the producers resulting from that vote.

Thank you.



**The Deputy Speaker:** Other hon. members wishing to speak on the amendment? Seeing none, the chair shall now call the question on the amendment.

[Motion on amendment to second reading of Bill 43 lost]

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

[Several members rose calling for a division. The division bell was rung at 8:28 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Ady	Hancock	Olson
Anderson	Horne	Quest
Benito	Jablonski	Rodney
Bhardwaj	Johnson	Sarich
Blackett	Johnston	Sherman
Dallas	Knight	Tarchuk
Danyluk	Leskiw	VanderBurg
Elniski	Marz	Weadick
Fritz	Oberle	Zwozdesky

8:40

Against the motion:

Blakeman	Mason	Taft
MacDonald		

Totals: For – 27 Against – 4

[Motion carried; Bill 43 read a second time]

**Bill 44  
Human Rights, Citizenship and Multiculturalism  
Amendment Act, 2009**

[Adjourned debate May 13: Mr. Taylor]

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

**Dr. Taft:** Thank you, Mr. Speaker. I think this is going to be one of the more interesting discussions of the session, not just tonight but throughout the duration, on Bill 44. Some members may not feel that's a very high standard to set, but I think we could set a pretty high standard with this one. I must say that I feel like there have already been some passionate and eloquent speeches on this. I hope that we can keep this entire discussion respectful, and I think we probably will.

I want to speak in the few minutes available to me tonight in second reading primarily to the principles, as I see them, surrounding the issues in Bill 44. There are certainly significant administrative questions, and if there's time, I'll explore those a little bit, but I think it's always good to begin in second reading thinking about the principles of the bill and of the spirit behind the bill. I listened to the comments from the Member for Airdrie-Chestermere when he spoke, and I think he touched on some of the principles that need to be discussed. The concerns around Bill 44 hinge in some ways on matters of tolerance and understanding and how those are developed and respected in Alberta and in Canadian society.

I wanted to start, actually, by reflecting on an experience I had last Saturday afternoon, which was a very sad funeral for a young man,

a 25-year-old man, the son of some good friends of ours, who died quite unexpectedly. There was a very large funeral. The main hall was overflowing and even the backup hall was overflowing. Several hundred people were there. I was looking at the crowd of people there and the impact that this young man had had and the number of lives he had touched. As I looked around, I couldn't help reflecting both on the nature of Alberta society and on the discussions we'd had around Bill 44 because there was a remarkable range of people there, people from, of course, all walks of life and all ages.

There were also people from many ethnic and religious backgrounds. In fact, the father of the young fellow who died is Jewish; his mother is Christian. There were people, as far as I could tell, from almost all faiths you would imagine at this funeral service: Muslim – in fact, I think there were a couple of Muslims who were pallbearers – Hindu, and undoubtedly atheists and who knows? It was a tremendous mix of people. There were also, I think it's important to mention in the context of Bill 44, lots and lots of straight people, of course, but undoubtedly a significant number of gays. It didn't matter. They were all there to mark a life, and they were all there out of tremendous mutual respect.

One of the things that struck me and my wife and others was how young the crowd was and how, to people of a generation, say, under 35 or so, many of the traditional divisions in our society just are not relevant anymore. They don't care. They don't care what your religion is. They don't care what your ethnic background is. They don't care, particularly, if you're straight or gay. I found myself thinking: boy, there's something special to celebrate here. How did we get here? How can we continue to encourage this not just in Alberta but around the world? I think we need to think hard about that, as I know members have. Members on both sides of this debate undoubtedly have.

It got me to thinking a little bit – and I won't dwell too much at this point – on Canadian society and something I sometimes think about, which is: why Canada? Why does Canada work? What kind of remarkable place is this? Inasmuch as we express frustration over Canada, I think we need to reflect on what a remarkable achievement this country is and, particularly, what a remarkable achievement it was in the middle 1800s to take French Catholics and combine them with English-speaking Protestants and mix them in with all kinds of First Nations people and through open willingness and commitment come together, not split apart but come together and embrace, really, a new approach to a nation.

We have continued to develop that over the last 150 years, leaders like Macdonald and Cartier and shortly after that a very controversial figure in the form of Louis Riel. If you actually study and read the proposed constitution, as it were, for the Métis settlement in Manitoba and if you look at Riel's vision for Canada, it was a remarkably far-sighted vision for plurality, where people of all faiths and ethnicities and languages could live together. He proposed that. In some ways you could probably make the argument that Riel was a very important founder of the multicultural fabric of Canada. There's even history going back to Champlain and his vision, but I won't dwell too much on that.

Bill 44 wrestles with those kinds of ideas, and it struggles with those kinds of ideas, and it challenges us to think about what's the best way to move forward to continue this wonderful experiment that our society is. Because there is the specific term "religion" brought into this bill, it opens up what will be a very wonderful debate.

It got me thinking about a book I read earlier this winter at the recommendation of a friend. It's called *The Search for God at Harvard*. It's actually a pretty interesting book. It was written, boy, I think it'd be close to 20 years ago. It's autobiographical. It's about an Orthodox Jew who's a reporter at the *New York Times* who

takes a year to go to divinity school at Harvard. Harvard was founded, actually, as a Puritan school of divinity. Obviously, it lost the Puritan roots centuries ago, but the school of divinity has always been sort of a heartland of Protestant thought. It has expanded and grown and so on. But the idea of an Orthodox Jew taking a year to go to divinity school at Harvard was very, very unusual.

**8:50**

Although we only have a few minutes now, just to set up what would be later debates, I wanted to read a couple of passages from this book. When the author, Ari Goldman, decided as an Orthodox Jew to go to Harvard Divinity School to study other religions, he ran into a lot of resistance, and he ran into resistance from his own family. Here is just one brief example. It's from page 5 of the book, if anybody ever reads it. He's referring to his Aunt Minnie, who had largely raised him, and he says:

Aunt Minnie was very much opposed to my going to study religion at Harvard. "You have one of the best schools for religious studies right here in New York – Yeshiva University," she told me. But when she realized that I was going to Cambridge despite her entreaties, she gave me her blessing. "Remember," she whispered in my ear at a family gathering shortly before I left for Cambridge. "You can study all the religions, but Judaism is the best."

That was how his aunt sent him off to Harvard. So he spent the year there. It wasn't always comfortable for him, and it stretched him, but it's very interesting to go through the book and see what happens.

I'm going to just read a couple of other passages, again because I think it sets context for this debate. At page 8 he says:

No, I did not convert. My deeply nurtured Jewish identity never seriously came under siege. But what did happen was an extraordinary dialogue, one between the religious ideas that I encountered and the Jewish ideas within myself. The dialogue continued every day in the classroom, in the words of the New Testament, the Koran, the Upanishads and in fellowship at my own Sabbath table, around which I assembled people of various faiths. As a result of these encounters, I learned how others experience their faith. But more important, I developed a richer and fuller understanding of myself and my own Judaism.

I think there's a very important point to be considered in there as we look at the possibilities of Bill 44, Mr. Speaker, and that is, to put it in a nutshell, that bringing people together and challenging people to understand each other and share experiences and speak to each other and, I think, in the words of Ari Goldman in this book, enter into a dialogue isn't necessarily threatening. It doesn't mean that the people who come will leave with their identities overthrown. In fact, he himself admits – and perhaps later in another debate I'll read from the conclusion – that his Judaism was enriched. But he came out understanding other people well.

I think that's what we want to achieve in our schools, and I think that's one of the great, great values of our public education system. I've had teachers tell me in the last few days, since this bill has got a bit of publicity: "You know, I've got Jewish kids, I've got Muslim kids, and I've got Christian kids all in the same class, and it's wonderful." And it would be wonderful. I think that we as a society need to encourage that, and we need to facilitate that. We don't need to impose it, but we already allow ways out if it makes people that uncomfortable.

The Member for Airdrie-Chestermere – and I wish I had his comments in front of me – spoke about us approaching these issues with confidence, that we shouldn't be threatened by what's proposed in Bill 44. Last fall I had a woman come to me on a completely unrelated issue, of course, but towards the end of my conversation she said, "You know, I grew up in a very conservative family, and one of the things I noticed" – and I don't mean this with a capital C

at all; I don't want anybody to take this personally – "is that conservative people so often come to issues out of fear." They approach an issue as if it's a threat, and they approach it therefore as fear. She was struggling with that because she wanted to approach issues as problems or opportunities or challenges to be solved, and she made this interesting comment about people approaching things from a position of fear.

I suppose we're all guilty of that. You know, I'm a little bit nervous – maybe not fearful – about Bill 44, and there are others who are concerned about Bill 44 not being here. It seems to me that what we've achieved and what we can achieve in our classrooms by expecting people to come together is a wonderful thing, and we can do that by having our own courage and our own confidence, just as Ari Goldman discovered it himself. When he first set off to Harvard, that took courage, but he had confidence in himself, and at the end of the year he was still Jewish, he was still an Orthodox Jew, but he had a far broader understanding, a far richer view of things.

Mr. Speaker, I think that we as a society should have the courage and confidence to urge people to work, to dialogue, to talk, to share, to laugh, and to live together. That's why I have some concerns with Bill 44.

Thank you.

**The Deputy Speaker:** Hon. members, we have five minutes for comments or questions.

**Ms Blakeman:** I just wondered what the member's concerns were for Bill 44.

**Dr. Taft:** Well, I'm assuming there will be other opportunities for debate, but I'm concerned that there is a symbolism in this bill that encourages people to separate from those who are different from them and that discourages people from coming together to share life with those who are different. I prefer us as an Assembly and I'd like the government to do everything reasonable to encourage people to come together and share their differences and live their differences.

Now, I did mention in my very opening comments that I also have quite a number of concerns around the administration of this bill. Of course, it needs to be said that I find, as the Member for Edmonton-Strathcona said several days ago, that this bill giveth and it taketh away, in a sense. It's very important that equal rights are granted for people regardless of sexual orientation. I think that's a step forward, and it's overdue. We even see that becoming very common in the United States. My concern is that just as it does that, it then, in a way, takes a step backwards.

Again, I'm assuming we're going to have lots of really good discussion on this, Mr. Speaker.

**The Deputy Speaker:** Any other hon. member wishing to join the five minutes?

Seeing none, the hon. leader of the third party on the bill.

**Mr. Mason:** Thank you very much, Mr. Speaker. It's a pleasure, at last, to rise to speak to these amendments to the Human Rights, Citizenship and Multiculturalism Act, one of which will change the name to the human rights act.

Mr. Speaker, if we can talk for a moment about the positive things that are in this bill. I want to indicate that the government has included sexual orientation as a protected right in sections 3, 4, 5, 6, 7, and 8 of the bill. Now, this comes years after these rights were read into human rights legislation in this country by the Supreme Court of Canada, so this amounts, really, to a formality. This government has been the last government to recognize this, and in

fact it is just a matter of changing the language to conform with the reality that has been created in this country. It's something we've been urging the government to do. Even just a matter of months ago, the Minister of Culture and Community Spirit was saying: we're not going to do that. Now it has been done. But, really, it amounts to nothing more than a formality.

9:00

Similarly, the definition of marriage has been changed in section 30, and the requirement that marriage be defined as a union of two people of the opposite sex has been deleted. This comes after the reality was changed with respect to this about three years ago by the federal Parliament of Canada. Again, what we have is a change in formality, recognizing the reality that others have created. This government has not created that reality; in fact, it has resisted it as long as possible.

Now, the real nub of the debate around this bill has to do with the inclusion in section 9 of the bill, which amends section 11.1 of the act, of sexuality, sexual orientation, and religion as protected grounds, which then gives the right of a parent whose wishes in their view have not been respected with regard to the teaching of their children in these areas to bring a case there to the Human Rights Commission. The government has acknowledged that these rights of parents already exist in the education act, where parents may inform a school or a teacher that their children are to be excused when things explicitly dealing with this are being taught. There is a process of going to the teacher or the principal and appealing, then up to the superintendent and right up through to the Minister of Education, that already exists. So the question then is: why does the government need to now make this a protected right, where the Human Rights Commission gets involved?

One of the problems that we have about this, Mr. Speaker, is that the current system seems to be working quite well in protecting the rights of parents to exempt their children from those areas of education if they choose to do that, so why now are we going to subject teachers and school boards to being brought before the Human Rights Commission and superseding the existing process? Now it will be possible for a parent to simply jump over the existing procedures and make a complaint directly to the Human Rights Commission.

So what's the problem with that? Well, I think a great deal of confusion was created by the Premier's comments at a news conference, which I attended, in which he said that parents would have that choice when asked about whether this act would allow parents to excuse their children when the theory of evolution was being taught. That interpretation of the Premier, because he is the Premier, gave rise to a great deal of concern. Now, his ministers have subsequently gone to great pains to dispute the Premier's interpretation and to assure the House and Albertans that, in fact, that is not the case, but we have not heard that yet from the Premier.

Ultimately, what's going to happen, Mr. Speaker, is that we're going to now have the Human Rights Commission making essentially case law, making decisions on these matters. The Minister of Culture and Community Spirit says: well, of course, you know, we expect people to behave reasonably. But if you talk to any teacher, they will tell you that there are occasionally parents who are not particularly reasonable, so the assumption that all parents are reasonable is absurd. There will be parents that bring charges before the Human Rights Commission if they don't like what their child has been taught.

Now, a lot has been said about this, but ultimately, Mr. Speaker, even if the Human Rights Commission makes reasonable interpretations of the act when charges are brought, it will have a profound

effect on the education of our children because teachers will never know what it is that they can talk about if issues relating to sexuality, sexual orientation, or religion come up spontaneously in a classroom outside of their lesson plan. So they will adjust their behaviour accordingly. You could call it self-censorship. They will say: "You know, I'm not going to talk about this. I'm not going to do this because Johnny's or Janey's parents might object, and we haven't got time to deal with it." They don't even know sometimes where the discussion is going to go in a class.

Here's the thing, Mr. Speaker. The handful of parents who might avail themselves of this clause are going to influence the education of all of the children, including the children of parents who want their children to be present for those discussions. It will change how education is delivered in the classroom, however subtle, and that is of great significance. Why, then, do we need to include this under the human rights act when it's already well dealt with under the School Act?

Mr. Speaker, I think we have to talk a little bit about what the politics behind this move are. This reflects a proposal made a couple of years ago in a private member's bill by the hon. Minister of Sustainable Resource Development, which basically sought to enshrine parental rights in a very strong way. The question is why those views, which I consider to be not mainstream views in this province – I'm putting that delicately – should come to dominate the government caucus to the point where the two ministers responsible, that being the Minister of Culture and Community Spirit and the Minister of Education, who have indicated at various times their preference to approach this in a different way, are now forced into the position of being the staunch defenders of legislation which apparently they don't even agree with? That is a disturbing trend. It seems to me that the government caucus has been hijacked by a group that has very, very socially conservative views. I don't think that those views are widely held by the people of Alberta, and yet here it is as government legislation. And if the government persists, it's going to become the law of the land.

Mr. Speaker, I want to speak about another very serious deficiency here, and that is that the very stakeholders in the education system who will be affected by this legislation have not been consulted about these changes which will in such a fundamental way change the way education is delivered in our classrooms. We saw the spectacle a week or so ago of the Public School Boards' Association, the Alberta Teachers' Association, the association of parent councils, and the association of school superintendents all opposing this legislation and indicating that they have not been consulted. Where's the consultation?

That brings me, Mr. Speaker, to my amendment to this bill that I would like to now bring, which deals with the lack of consultation that has taken place. I will send that up to the table and have it distributed, and I'll make it when you indicate.

Thank you.

9:10

**The Deputy Speaker:** Hon. members, we have an amendment here, a reasoned amendment, introduced by the hon. leader of the third party.

Hon. leader of the third party, continue on the amendment.

**Mr. Mason:** Thank you very much, Mr. Speaker. I would move that the motion for second reading of Bill 44, Human Rights, Citizenship and Multiculturalism Amendment Act, 2009, be amended by deleting all words after "that" and substituting the following: "Bill 44, Human Rights, Citizenship and Multiculturalism Amendment

Act, 2009, be not now read a second time because the bill has not been subject to sufficient consultation with teachers and school boards.”

Mr. Speaker, if I might speak to this motion. It really strikes me that when you make a change which will affect the education system in a fundamental way, you make sure that there is as broad a consultation as possible with teachers, with elected school boards, with school administrations, and most of all with parents. Now, it's curious that the same government that claims that it's standing up for parents' rights has not consulted with parents on this bill. It's true that they've apparently consulted with some religious leaders, but they have not consulted broadly with parents yet are attempting to suggest that they're actually representing the interests of parents with respect to this bill.

I have been contacted by many parents in my constituency and from other parts of the province as well, and I would say that the very large majority of the parents who have contacted me have deep concerns about this bill. If it's about parents' rights, then I think it's just logical and even fundamental that we ask parents and get a sense from them. Instead, the government has not done that, and now the provincial association of parent councils has taken exception to the sections of the bill that we are concerned about. They represent the parents in schools. They're the active parents. They're the parents who get involved with their children's education and who participate in school councils.

When my son was still in public education, I participated from time to time in the parent council as well, and I know that the parents there are deeply concerned about their children's education. They want the best for them. They want the best opportunity not only for their kids but to strengthen the school, to strengthen the education system, and so on. These parents who participate in public education from one end of the province to the other have not been consulted about this, not been consulted by a government that claims that they want to protect parents' rights.

School boards have not been consulted by this government with respect to this bill. There may have been some quick meetings organized since we've raised this issue and since it's become a fairly contentious public issue, but it's very clear that school boards, the people who are elected by the citizens to run the education in our communities, have not been consulted about this bill and about this change. Now, we give them that responsibility. The government created school boards. They give them limited powers, but they do ensure that they are elected by the citizens in the community. And they haven't been consulted.

Mr. Speaker, I would urge members to support this amendment. Thank you.

**The Deputy Speaker:** The hon. Member for Edmonton-Centre on the amendment.

**Ms Blakeman:** Yes. Absolutely, Mr. Speaker. I would like to speak in favour of the amendment because I think this was true. There may well have been consultations after the fact between the drafters of the bill and representatives of the educational sector, but I would argue pretty strongly that there was not sufficient consultation prior to going into this bill.

I mean, it's hard to get the four organizations together that have come together as a coalition almost in reaction to what this bill has brought forward. But this government managed to do it with this particular legislation. We had the Alberta Teachers' Association, the College of Alberta School Superintendents, the Alberta School Boards Association, and the Alberta School Councils' Association.

I mean, this government does some impressive things sometimes, and getting those four groups to come together as a coalition to speak with one voice in opposition to this bill is really impressive. I have to hand it to the government because that's no mean feat, to get those four groups all motivated to come together. They did a joint press release. They had it all co-ordinated. Wow. This government must have really done something to get them that motivated.

Indeed, they did. They put a section in this bill that has thrown—chaos is a strong word to use in this context.

**Dr. Taft:** Confusion.

**Ms Blakeman:** Thank you. A colleague suggests that “confusion” would be more appropriate.

**Dr. Taft:** Disarray.

**Ms Blakeman:** Disarray is another possible wording. Actually, I like “disarray.” I think that's pretty accurate. I mean, we don't actually have this bill in play yet. It hasn't passed, and I hope it doesn't pass in the form that it's in.

You know, the guards are kind of making fun of me every day as I haul all this stuff up the stairs. A significant portion of it, all this stuff in the pink here, is the reaction that we're getting into my office on the proposals in this bill, and 99 per cent of that reaction is about section 9, which is amending section 11.1. It's being casually referred to as the parental opt-out.

I'm coming at it as the daughter of teachers and someone who grew up in a household that was all about education. To me this section is about creating disarray, confusion, and possibly, finally, chaos in our classrooms, in our schools, and in our education system. This comes about because we don't end up with the kind of consultation that should have brought us to this point.

**9:20**

I'm going to back up a little bit here. I think that the minister got into this for all the right reasons. I think the government got into this for the right reasons. It may have been that the minister came on board when this process was already in the pipeline, and that's quite likely.

First of all was to streamline the actual process of the Human Rights Commission. Yes. Needed to happen. I've now gone back and consulted with some of the people I know who knew that system well. You know, I'm just reading through some of the notes from these people, and they're saying: “Yes, absolutely. Needed that. Good to see this. Glad they chose to call it a tribunal, not a panel.” So a lot of administrative changes that really needed to happen.

One of the perennial sets of questions that I inherited as the human rights critic from my predecessor, the previous member by two for Calgary-Buffalo, the venerable Gary Dickson, was a series of questions about how many cases had been opened by the Human Rights Commission, how many cases had been closed by the Human Rights Commission, how many had been carried over the year, how many were more than 300 days old as open cases, et cetera, et cetera. What it really showed us was year from year the commission was falling behind in its ability to deal fairly swiftly with these cases and investigate them and either mediate to a conclusion or move them on. It just really dragged out.

So they got into it for the right reasons. Of course, once the act was open, they'd really look very silly if they didn't include the sexual orientation, which they did. I'm very glad to see that, and so

are many of my constituents and many of those that I claim as constituents.

Then they didn't do what this motion is suggesting they should have done, which was to do sufficient consultation with the teachers and the school boards before they got into this section 9, which is amending section 11.1, suggesting that we start to create this disarray, confusion, chaos in our classrooms. The argument that comes back at us is: well, we always did this. Yeah. Good. So why did you feel the need to write something that properly should be situated in the School Act and write it into a different piece of legislation? Can you imagine writing something that affected the beef producers into an act on education because someone decided that that should now . . .

**Dr. Taft:** We should all be taught to eat beef.

**Ms Blakeman:** Yes. We should all be taught to eat beef.

Yet we've talked about this so much now that everybody is going, "Yeah, that sounds very reasonable" when the Minister of Education says: "We already do this. This is why we put it in the act." Huh? No. If this is affecting what is going on in the classroom, it should be under the School Act, not under the human rights act. Well, then I'm told that it's already there. Okay. Then if it's already there and it's working, why are you, one, writing it into a piece of legislation and, two, writing it into a different piece of legislation?

You know there are nights – and it always seems to happen at night; there we are, 25 after 9 at night – when I start thinking: why does this government insist on exposing our taxpayers to yet another constitutional challenge? Every time I stand here in this House and say, "Mark my words; this one's going to come back as a constitutional challenge," a couple of years later there it is on the front pages of the paper, and the taxpayers are on the hook to chase through on why this government decided to do this. Maybe they need to do it to satisfy their own internal politics. I don't know. But if that's the case, can you not just work that out the way other caucuses work it out?

**Mr. Mason:** Because they have free will.

**Ms Blakeman:** Yeah. Right. Voting with the free will and all of that kind of thing.

To expose taxpayers to what is surely going to be a pretty clear-cut constitutional challenge on these grounds is really unfair to the taxpayers, especially when I suspect you know that going in. You've got a lot of smart people working for you. You've got a lot of lawyers working for you. [interjection] I'm sorry; the minister is interested in something. I'm sure he's going to get up and respond to me when he gets his chance. [interjection] Oh, yeah. I've come back to the amendment a number of times. It's talking about: we can't read this a second time because we didn't consult with teachers. You bet you didn't, and you didn't consult with them particularly on section 9, which is amending section 11.1, which is about why the government chose to put something that affects the School Act into human rights legislation and the fact that – are you following along? – that is going to end up being a constitutional challenge and cost taxpayers money. There's the total thread recast for you. Thank you so much.

The other things that have come up repeatedly here are: well, you know, if you just notify parents of what's going to happen, you can adjust the modules, and kids can be opted out of classes or given alternate instruction. Here I'm going to come and stand alongside my colleague from Edmonton-Riverview to say: we really need to

be working forward in a way that is about coming together, not about highlighting differences, not about taking people apart, not about taking children out of the classroom.

I'm just going to pause here and say that part of this is about religious education. There have been other discussions earlier in the day about, you know, parents' rights to educate their children in a particular religious faith. Absolutely. But to me that doesn't mean that that faith is then used to remove a child from the teaching that all other children are getting in that system. To me as the child of educators I want to know that when we say, "This is someone that graduated from 12 years of education in Alberta," we know that this is what they know. We know that this is the instruction that they've had, that they can think, that they have analytical skills, that they've been challenged on some things that maybe make them a little uncomfortable.

I mean, let's face it. If everybody in this room had been allowed to opt out of everything that made them a little uncomfortable, this would be a much harder place to work toward some kind of a solution in. As part of our education in Alberta we were taught how to be able to construct those arguments and bring them forward and to recognize that you disagree with someone and to be able to develop those arguments and put them out on a public platform and debate those ideas out there.

What are we trying to create here when we say, "No, we don't want children involved in these discussions or exposed to these ideas or challenged by this; we want them taken out of this and not exposed to that"? Everything I've been reading about what we really need children to do and all the stuff that's actually in the School Act and in the manual that they use about, you know, creating opportunities for kids to learn, to find controversial issues, to help them work their way through that process – and Sheldon Chumir, you know, has also weighed back in on this a couple of times.

**Dr. Taft:** You mean the Sheldon Chumir foundation.

**Ms Blakeman:** I'm sorry. I mean the Sheldon Chumir foundation. For those of us that actually knew Sheldon Chumir, yes. Now there is a foundation in his name, which he funded. Much of the work that they did in the consultation process was freely adopted by the minister in charge of this bill, but not all of the suggestions that the Sheldon Chumir foundation made were in fact adopted and incorporated into this.

I'm aware that my time is running out here, and I'm not going to be able to find the references fast enough to speak to them. But the point that I was trying to make is that the world gets more complex. It's not getting simpler. It's not getting easier the more times we look at a problem, and in many ways we've not solved problems. How many times do you hear people say, "Well, we're coming around on this one again"? Child poverty: you know, here we are; we're still dealing with it. Is it an easier issue to deal with now than 50 years ago? No, it isn't. We've got all kinds of other complications in it, so in many ways the issues are still here, but they're increasingly multilayered. They're much more of a woven tapestry. We need to be able to educate the next generation to be able to understand the complexity of that and to be able to put forward their point of view with confidence, with some factual backup to it, and be able to argue those ideas out in a public context. I really feel strongly that removing kids from controversial issues and from the classroom is a bad idea.

9:30

It also puts enormous pressure on teachers to somehow deal with impromptu ideas coming up, that with questions from students or

current affairs that are brought up in the day, a teacher now has to say: "Oh, okay. Whoa. Stop. Just let me send a note home to the parents to let everybody know that this is controversial, and we'll get back to you in two weeks."

Thanks very much, Mr. Speaker.

**The Deputy Speaker:** Any other hon. members wish to speak on the amendment?

The hon. Minister of Education.

**Mr. Hancock:** Thank you, Mr. Speaker. I move that we adjourn debate on the bill.

[Motion to adjourn debate carried]

### Government Bills and Orders Committee of the Whole

[Mr. Cao in the chair]

**The Chair:** I would like to call the Committee of the Whole to order.

#### Bill 47 Appropriation Act, 2009

**The Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Certainly, I'm looking forward to speaking at committee on Bill 47. I was encouraged earlier in debate this week by the President of Treasury Board that if I had any questions or any concerns, to put them on the record. I received a similar response yesterday from the hon. minister of health regarding the Appropriation Act and what should or should not be in this legislation.

When one thinks of the Appropriation Act and the budget and the whole budget process that we just I would describe it as endured, Mr. Chairman, I certainly don't think the interests of the taxpayers of this province were served with the whole process of examining the budget to date. Whether we go through the respective offices of the Legislative Assembly and the support for the Legislative Assembly or the government departments from A through T, there is a lot of money allocated here, a lot of money allocated during difficult economic times.

When we look at the budget process and how it was developed by the government, we do know that there are a lot of volumes to this. The first volume I would like to mention in my remarks is the ministry business plans, Budget 2009. The hon. Member for Calgary-Nose Hill also was anxious for members on this side of the House to provide some examples of budget restraints that could be used to reduce this big, bloated government, its wasteful spending habits. I'm not going to mention horse racing because that gets a lot of attention in this House, and taxpayers seem to pay a lot of attention to the fact that during these rather difficult times we still have a significant subsidy to the horse-racing industry.

We look at the accountability statements that each minister signed off on. Some of them signed off on March 19, others on the 18th, one, I think, signed off on the 20th, and it goes on and on. We'll just check some of the larger departments by budget amount, and Justice is one, certainly. They've got a lot of money in bonuses; that's for sure. They always give a lot of money in bonuses. This account-

ability statement was signed off on March 19, 2009, Mr. Chairman, and the accountability statement in the business plan reads:

The business plan for the three years commencing April 1, 2009 was prepared under my direction in accordance with the Government Accountability Act and the government's accounting policies. All of the government's policy decisions as of . . .

And this is very important.

. . . March 12, 2009 with material economic or fiscal implications of which I am aware have been considered in preparing the business plan.

The Ministry's priorities outlined in the business plan were developed in the context of the government's business and fiscal plans. I am committed to achieving the planned results laid out in this business plan.

It's signed by the hon. Minister of Justice and Attorney General, dated March 19. That's a week after it was signed off in the accountability statement. My point in all of this is that these sign-offs occurred, and I'm sure these budget documents went to the printers before we had finished our additions on the lavish senior management bonus plans that this government used as a means to exercise complete authority over senior civil servants.

Now, we have done additional math – and I know this is outside this budget year, Mr. Chairman – over the years since this program was first initiated, and the majority of the money, oddly enough, was taken from the social services budget, but \$250 million has gone through this program. What does it have to do with the sign-off on these business plans? Well, the Premier stood up in question period one day and said: we're going to discontinue this practice. It was the right decision but the wrong year. This should have been discontinued, in my view, quite some time ago. It was not.

The Premier indicated that it's about a \$40 million tab now that is to be paid out in these bonuses, and if you look at last year's budget, where the money is coming from for the \$40 million now, it's hidden line by line in the budget in each and every respective department. Nothing has changed from last year's budget to this year's budget. The government certainly would not have time from the day that we started asking questions about this to reduce these budget documents by \$40 million. So there is one more pot of cash that we can either save or set aside for key government programs.

9:40

Now, I know there are members opposite that just want to spend, spend, spend [interjection] – the hon. Minister of Education laughs, and it's not a laughing matter. I can read the *Alberta Gazette* as well as the next person. This hon. minister certainly has taken liberties with the treasury to provide lavish hosting expenses. An example of this, hon. member, is that last year when the budget came out, the Provincial Treasurer's postbudget reception cost \$700, but the one hosted by the Minister of Education was over \$2,000. In fact, I think it was over \$2,300, but I'm going by memory, and my memory is like that of the hon. Member for Olds-Didsbury-Three Hills: it gets rusty at times. But you can look that up in the *Alberta Gazette*, and it's not a laughing matter.

I'm going to get to hosting expenses in a minute, but I want to summarize my point that when the accountability statements were signed off, and then later the Premier announced that this was a bad, bad program and it was going to end, this government did not have time to remove that \$40 million from this budget department by department. So there is an additional \$40 million that can be set aside, and if a portion of it is to be spent, it's to be spent in a prudent fashion. That's one example.

When we look at hosting expenses, while I'm on the subject, Mr. Chairman, last year – and this is in the latest issue of the *Gazette* that we've had a chance to have a look at – hosting expenses over \$600

for this government in amounts that have been publicly disclosed in the *Alberta Gazette* are over \$1.4 million. It's a lot of lunches, a lot of dinners, a lot of wine. When we look at places where we can save money, these are good places for the government to start. I would encourage the hon. Minister of Education to set an example with budget discipline because when we look at these hosting expenses, Mr. Chairman, we have to realize that they're all buried in Bill 47 here, in each and every department with the exception of Energy. The Minister of Energy seems to have a very modest and reasonable amount in hosting expenses, as do several other ministries but not all.

What is annoying to the taxpayers is that in these global amounts is money to be used to pay for hosting expenses. There was an ambassador, an envoy from a country visiting the province and our capital city. No one is suggesting that the minister shouldn't take that individual out and have a pleasant meal. No one is suggesting that for a moment. But there has to be some sort of control on this. If there's no control on this kind of spending, what kind of controls do we have on other larger amounts?

I was startled to realize and learn that hosting expenses, well, just exist. There's no budget to speak of. There's no amount. Sure, the deputy minister or the assistant deputy minister sign off on it; in some cases, I would say, the minister. But it doesn't seem like a sound practice. It doesn't seem like a sound practice at all. That's why when we talk about Bill 47, when we talk about the entire budget process, we have to realize that there's a lot of wasteful, lavish spending going on. We see how the budget has increased so dramatically. This is a government that appears to want to continue to practise those habits. It's a government, in my view, that doesn't have the discipline necessary to practise fiscal restraint. Common-sense spending, not wild, lavish spending: that's what the taxpayers are demanding.

When we look at the strategic plan that's provided for health care through the Alberta Health Services budget, there's an acknowledgement in there of wasteful spending. There's an elaborate circle, a 360-degree chart, and in there is the acknowledgement that there has been waste and inefficiency. I wish I had the chart before me, but I do not, Mr. Chairman, but that is yet another example. It's how much budget? Well, there is close to \$13 billion in the total Alberta Health and Wellness budget. There is in the Alberta Health Services Budget over \$7 billion.

I don't know what's going to happen. I was told yesterday, and we had this discussion in question period about the whole issue of the edict or the order or the demand or the command – I don't know how you describe it – from the Minister of Health and Wellness to the Alberta Health Services Board that they were to reduce their expenditures by \$500 million. Now, there was a reference to that in the *Edmonton Journal* today, in the newspaper, that I'm sure all hon. members read. There was a reduction of surgical services to be provided by the Royal Alex hospital. That was an interesting front page of the *Edmonton Journal*.

It was quite a contrast. In fact, I was at a public meeting before session started at 7:30, and there were many questions from individuals who were attending the meeting about the scaling back of surgical activity at the Royal Alex and about the oil sands production, synthetic crude oil, about the fact that one of the partners at Syncrude was paying less than 50 cents a barrel in royalties for the first quarter of this year, from January through the end of March, whenever the new royalty regime had come into force. The citizens were quite puzzled. How could this happen? Who was looking after our interests? Who is defending our interests in all these discussions and these negotiations? Surely, the government cannot be when we're paid less than 50 cents. I think it's 48 cents a barrel, is it, hon. member?

**Dr. Taft:** Yeah.

**Mr. MacDonald:** Forty-eight cents a barrel in royalty.

**Dr. Taft:** What is it in Yemen?

**Mr. MacDonald:** I don't know, but hopefully I'll find out tomorrow in question period.

Now, Mr. Chairman, we look at that contrast: the events at the Royal Alex hospital with the cancellation of surgeries and the amount of resource revenue, the royalty stream that we are getting. These events are related. Fortunately, we do have the stability fund, or the stabilization fund, and it's going to carry us through at least this year. But where do we go from that point? I don't know.

This budget and this budget process are both flawed. There should be considerable public discussion. I think these business plans should be reviewed publicly. I know the Minister of Education is very fond of the policy field committees. They were born under his watch; I'll put it that way. I know that he's very fond of them, and I know that when they were started, it was hoped that they would be a means by which this government would be more open and more transparent.

9:50

I can't understand why, after these business plans go through the Treasury Board and go through their usual government processes or discussions, they couldn't go before the policy field committees before the minister of finance stands up with great fanfare and with the full effect of the Public Affairs Bureau and delivers the budget. Instead of having an open and transparent process, we have this budget process.

It all started with Aboriginal Relations: the hon. Member for Edmonton-Riverview and the hon. Minister of Aboriginal Relations. I was present at that first budget debate, and I was disappointed. I didn't think the taxpayers were well served by the whole process, and I still think that. Yes, certainly, the hon. Member for Edmonton-Riverview was very diligent in the time that was allocated to him to get specific, detailed answers from the minister, but the process was, I'm afraid, constricted. It was limited. That department had a budget in excess of \$149 million. There just wasn't enough time, I felt.

So here we are in Committee of the Whole having another look at the budget and the implications of it for the citizens. Advanced Education and Technology, a significant amount, not 10 per cent, but it would be between 8 and 10 per cent of the total budget. We look at Agriculture and Rural Development. We look at Children and Youth Services; that's an interesting department. [Mr. MacDonald's speaking time expired] We'll get to that again.

Thank you. I appreciate the chance.

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

**Mr. Hancock:** Thank you, Mr. Chairman. I would move that we adjourn debate on this matter.

[Motion to adjourn debate carried]

## Bill 25

### Teachers' Pension Plans Amendment Act, 2009

**The Chair:** The hon. Member for Bonnyville-Cold Lake.

**Mrs. Leskiw:** I believe I have a potential conflict of interest relevant to Bill 25, Teachers' Pension Plans Amendment Act. I will now absent myself from the Chamber during the discussion.

**The Chair:** Any other hon. member wish to do the same thing, a conflict-of-interest declaration? The hon. Member for Red Deer South.

**Mr. Dallas:** Thank you, Mr. Chair. I believe I have a potential conflict of interest relative to Bill 25, the Teachers' Pension Plans Amendment Act, and would now absent myself from the Chamber.

**The Chair:** The hon. Member for Wetaskiwin-Camrose.

**Mr. Olson:** Yes. Mr. Chair, I also believe that I may have a potential conflict of interest with respect to this Bill 25, Teachers' Pension Plans Amendment Act, so I'll also be excusing myself.

**The Chair:** Any other hon. member who wishes to do so? The hon. Minister of Education.

**Mr. Hancock:** Thank you, Mr. Chair. It would appear that the Ethics Commissioner believes that I have a conflict of interest in this matter, so I will absent myself.

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

**Mr. MacDonald:** Yes. If the hon. Member for Wetaskiwin-Camrose is in conflict, then I certainly would be, too. Enjoy the debate. I'll be in the opposition lounge.

**The Chair:** Now that all the hon. members who feel that they have a conflict of interest have left the Chamber, we'll go back to the debate on the bill. The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Marz:** Well, thank you, Mr. Chairman. It's a pleasure for me to rise this evening in Committee of the Whole to present Bill 25, the Teachers' Pension Plans Amendment Act. The bill legally transfers the full pre-1992 unfunded liability to government effective September 1, 2009. The act will also incorporate changes to the payment and governance arrangements pertaining to the pre-1992 unfunded liability.

The support received at second reading of this bill is greatly appreciated, Mr. Chairman, but there were some points raised by the opposition that I'd like to address.

**The Chair:** Hon. member, I hesitate to interrupt you, but another member wishes to declare his conflict of interest at the last minute here. The hon. Member for Edmonton-Ellerslie is leaving the Chamber on conflict of interest.

Hon. Member for Olds-Didsbury-Three Hills, please continue.

**Mr. Marz:** Okay. Thank you, Mr. Chair. As I was saying, there were some points raised by the opposition earlier that I would like to address at this time.

Under the November 2007 memorandum of agreement the government agreed to pay the teachers' portion of the pre-1992 unfunded liability payments until August 31, 2009, and then assume the total pre-1992 unfunded liability on September 1, 2009. Inquiries were raised as to how much this will cost as well as how this additional commitment will be managed, considering our current economic condition. The opposition also wanted to know the amount that will be transferred from the general revenue fund to get this commitment paid.

Annual payments over the next three years from the general revenue fund will be \$356 million in 2009-2010, \$437 million in 2010-11, and \$450 million in 2011-12. The annual payments are

expected to increase to about \$500 million by about 2021 and then gradually decrease until the liability is eliminated by about 2060. In light of the current economic downturn the amounts for the next three years have already been built into Finance and Enterprise's spending targets that have been provided in the fiscal plan.

A concern was also raised regarding the plan of payment. Alberta Finance and Enterprise and Alberta Education share responsibility for the teachers' pension plan, with Finance and Enterprise responsible for the liability and funding related to the pre-1992 obligation. Education covers the ongoing regular contributions.

The government was already responsible for two-thirds of the pre-1992 obligation before the agreement. Under the agreement the government will pay the entire amount of benefit payments to recipients without borrowing from the post-1992 plan. By paying the pre-1992 benefit payments in full as they come due rather than borrowing to make part of the payment, the government is saving hundreds of millions of dollars it would otherwise have paid towards the unfunded liability over time.

Under the previous payment arrangements the pre-1992 unfunded liability would have increased to \$14 billion by 2041. Under the new payment plan the unfunded liability would be reduced to \$2 billion by the year 2041. Last spring an earlier amendment, the Teachers' Pension Plans Amendment Act, 2008, authorized government to pay teachers' unfunded liability payments until August 31, 2009.

**10:00**

It's important that the 2009 amendment proceed to ensure the implementation of the pension agreement in a timely manner. The 2009 amendment establishes a closed pension fund for the pre-1992 pension benefits under the teachers' pension plan. The amendment provides for the Crown to make payments into the fund as statutory expenditures and guarantees payment of pre-1992 benefits from the Crown. The amendment also provides that any assets remaining in the fund after all pre-1992 benefits have been paid will be returned to the Crown.

Mr. Chairman, in conclusion, I would encourage all members of this House to give their full support to Bill 25. I'll now take my seat. Thank you for your time.

**The Chair:** Any other member wish to speak on Bill 25? The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Yes. Thank you, Mr. Chairman. It's a pleasure to rise to speak to this bill. I want to express my appreciation for the comments from the Member for Olds-Didsbury-Three Hills, giving information on some issues that have been raised earlier.

This is, as soon as you scratch the surface, a fairly technical issue, and it's a very large issue. This bill is an initiative that we support. We, in fact, included this sort of concept in our pre-election platform before the last election, and it's good to see the government adopting the idea. I think there's a lesson to be learned from this. This is a very expensive problem. This was a small problem that grew bigger and bigger and bigger, and now it's going to be multiple billions of dollars and, if I understood the member correctly, several more decades before it's fully addressed.

The lesson that Bill 25 ought to teach us is to be very careful and very thoughtful about the actions we take as a Legislature. Sometimes we move very abruptly and without thought and find that we've created problems that are difficult or expensive to resolve. This particular bill is one of the really, really big examples of this. The origins of the issue that is being addressed by Bill 25 go back to, I think, the 1950s and probably some debate that occurred in this very hall the better part of a lifetime ago, when people perhaps



didn't consider all the issues or people were rash or people just weren't paying attention. At some time 50 years ago decisions were made in this Assembly that today are costing us \$8 billion – or who knows how much by the time it's all done? – and won't be played out for another 50 years.

I think there should be a copy of this bill and some of the expenses connected with it framed and hung on the walls, maybe one in each of the two lounges behind the Assembly, to remind people that there are sometimes very expensive, long-term consequences to what initially seem like small decisions. I can't imagine – in fact, I'm certain that when the decisions were made that led to this unfunded liability, nobody really thought it through. Nobody thought: you know, this is going to cost people in 2009 many billions of dollars. I wish they had, and all those teachers who are affected by this wish they had as well, particularly the youngish teachers now, who have been paying a premium on their pensions because of the mistaken decisions of years ago. I think that's the key lesson here.

When I see some of the other legislation that's brought forward, I see that the lesson hasn't been learned because I see legislation brought here and pushed through here that is almost certain to cause all kinds of different problems in the future. Earlier this evening in a different debate the Member for Edmonton-Centre was talking about how this government enacts things or puts us in positions where we end up, predictably, in Supreme Court decisions and lose those. The auto insurance one is an example, the Vriend decision is another, and it may well be that the amendments brought in on Bill 44 this session will be yet another. Why do we do that? Why don't we just pause and collect ourselves and think things through, do the number crunching, do the analysis, exercise real prudence, and save people decades from now very expensive corrective action like the one we're having to take here in Bill 25? That's the most important lesson, I think, from Bill 25.

However, there are other things to be recognized, and I think this bill corrects some of those. The first to be recognized is the importance of teachers and the importance of attracting new, young, energetic recruits to the profession. Those were the people who were going to be paying the most under the current unfunded pension situation. I've talked to any number of them who were considering leaving the province because it was like making a second mortgage payment every month, with very little to show for it in their books. So I think we're demonstrating as an Assembly that we value teachers, that we value education, that we want to renew the profession through bringing in fresh recruits and replacing the retiring teachers, who have by and large done an outstanding job.

I support this bill. I think that as a caucus we support this bill. We just really hope that as an Assembly we're not making decisions today such that people in 2059 are going to be standing in this room, saying: gee, I wish those people had thought a little longer and a little harder before they pushed that through.

With those comments, Mr. Chairman, I'll take my seat. Thank you.

**The Chair:** The hon. leader of the third party.

**Mr. Mason:** Thanks very much, Mr. Chairman. I'm happy to rise in support of Bill 25, the Teachers' Pension Plans Amendment Act, 2009. This bill puts in place the legislative framework needed to implement the pension agreement reached with Alberta teachers in November 2007 having to do with the pre-1992 unfunded liability payments.

Now, the unfunded liability with respect to teachers' pensions in Alberta was a very long-standing problem. Certainly, we on our side urged the government repeatedly to deal with it. Finally, after some lengthy negotiations an agreement was reached that the government

would fund the teachers' portion of the unfunded liability in exchange for an agreement with the Alberta Teachers' Association. A term of that agreement gave four years of certainty as far as labour peace was concerned and so on. I thought that it was definitely a win-win, with the Alberta Teachers' Association, I think, getting a very long-standing issue resolved and the Alberta government ensuring that the education system could operate without any prospect of labour difficulties anywhere in the province for four years.

**10:10**

Mr. Chairman, I think that it's a very reasonable agreement, and I think it will provide not only reliable pensions for teachers who are retiring today and in the future but also is fair to young teachers, who were hit with an extremely heavy burden of trying to pay off a liability that had grown out of control. The pension payments required by young teachers were onerous and difficult for them to meet in some cases and quite unfair. It was those teachers who would have to bear the brunt of this problem, which was created way back when the Social Credit Party was in power and was unfair to teachers who weren't even teaching before 1992 but who still had to make extra contributions to service the liability. This was off-loaded onto those teachers for years and years by this government, and finally an agreement was reached. I think it's unfortunate that it couldn't have been dealt with earlier, but I think that it is to every-one's credit that it has been done.

Mr. Chairman, during an economic downturn such as this people need to know that their pensions are secure, especially when their retirement savings may have lost significant value as a result of the stock market crash that we have seen. I think that this deal ensures that the pre-1992 liability will not have a negative impact on the health of the current pension fund because those are now entirely separated.

Mr. Chairman, I think for now that will suffice for my comments with respect to this bill. It's a good bill and, I think, a credit both to the government and this Legislature and to the teachers and the Alberta Teachers' Association. I urge all members to support it.

Thank you.

**The Chair:** Does any other hon. member wish to comment on Bill 25?

[The clauses of Bill 25 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

**Bill 47**  
**Appropriation Act, 2009**  
*(continued)*

**The Chair:** It is 10:15 now. The chair shall now put the question on Bill 47, Appropriation Act, 2009.

[Motion carried]

**The Chair:** Hon. members, pursuant to Standing Order 64(4) the committee shall now immediately rise and report.

[The Deputy Speaker in the chair]

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

**Mr. Marz:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 47, Bill 25.

**The Deputy Speaker:** Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered.

### Government Bills and Orders Committee of the Whole

(continued)

[Mr. Cao in the chair]

**The Chair:** Committee of the Whole is now in order.

#### Bill 27 Alberta Research and Innovation Act

**The Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Chairman. I'm just looking through this for my notes here, but I do know what I want to say about this because I've been doing a bit more research. When I spoke in second on this, I was talking about the politicization of our research and academic scholarship programs. What I was seeing was a movement on behalf of Conservative-based governments towards funnelling, controlling our research and our scholarship and award and granting system towards sort of producing a certain outcome that is business focused. As I started to read on this, I think this is the first time that this government is moving into that area, but I've certainly seen it in a government to which my colleagues across the way have a close affiliation, and that is the current federal Conservative government.

**Dr. Taft:** They're cousins.

**Ms Blakeman:** Well, yeah, pretty close cousins.

That is turning up in a number of places. I'm looking at one report of the awarding of the Steacie fellowship, which is a very prestigious pure research-based fellowship. The PM was there and was going on and on about how he wanted to more narrowly target the new research dollars for commercialization of the products of research. It's interesting because there have been a couple of times recently in this House, particularly around carbon capture and storage money, when members of the Official Opposition have said: "Okay, if the government is going to put money into developing this technology, are we going to own a piece of it? Do we get a sort of copyright payment or a royalty payment back because we've invested in this technology and it takes off and it makes everybody a gabillion dollars? We were the seed money for that. We gave them stuff to get started with. Do we get something back for that?"

**Mr. Mason:** But they're not going to do that.

**Ms Blakeman:** Well, no, they're not going to do that.

It's one thing to invest in the development of that technology, but I think when you start controlling research and academic institutions

and saying, "You are going to focus your research on doing what we want you to do," we have stepped down a completely different road than what we understand academic research to be.

10:20

How is that relating to what we're contemplating in Bill 27? Here's what we're contemplating. Bill 27 is basically taking our favourite and, I would argue, our most successful heritage fund resourced, funded research foundation, the Alberta Heritage Foundation for Medical Research, and it's rolling it in with a number of other research bodies like the Alberta Research and Innovation Authority, the Alberta Research and Innovation Committee, the Cross-government Portfolio Advisory Committee, and a number of other corporations.

I know in this bill there is an act. There it is. I knew I would find it. Under section 14 in the bill, entitled Transitional Provisions, Consequential Amendments, Repeal and Coming into Force, we're looking at the Alberta Agricultural Research Institute, the Alberta Energy Research Institute, the Alberta Forestry Research Institute, the Alberta Heritage Foundation for Medical Research, the Alberta Heritage Foundation for Science and Engineering Research, the Alberta Information and Communications Technology Institute, the Alberta Life Sciences Institute, the Alberta Research Council Inc., the Alberta Science and Research Authority, iCORE Inc., and any subsidiary of any entity that has been referred to in the list that I just went through, which are sections (a) to (j) in the bill. For reference for those of you that have got a paper copy, I'm on page 11 of Bill 27, Alberta Research and Innovation Act.

We're seeing a Conservative thought process that seems to be generated out of the federal government under Prime Minister Harper, where they talk about targeting research dollars for commercialization of products of research. One of the places that I noticed this the most was SSHRC funding. SSHRC is the Social Sciences and Humanities Research Council. Now, that is the only grant source to support humanities and social science based research. It's the only one that exists in the country. It doesn't get a lot of the money. I think it's like in the 20 per cent range. It has been told that all the new research they do has to be business focused.

I'm just quoting from an article out of *Vue Weekly*, but I have seen this. This is the week of February 26, issue 697, an article by Ricardo Acuña from the Parkland Institute, but I've also seen the same statistics quoted elsewhere. Essentially, it's saying: "Budget document that says 'scholarships granted by the Social Sciences and Humanities Research Council will be focused on business-related degrees.'" Here are the other quotes. There we go. So of the money that's granted, we've got, yeah: \$17.5 million allocated to Social Sciences and Humanities Research Council for Canada graduate scholarships is to be uniquely allocated to business-related degrees, one of the few budget elements that is devoted to the knowledge economy.

This is where we all say we're supposed to be going, right? This is the future. This is it. Invest in the knowledge-based economy. Okay, here it is. That's what these grants represent. But, no, they're now going to focus that not really on a knowledge-based industry but on business-related output, which is what they're looking for, and only 20 per cent of the federal research grants go to SSHRC, but that's now all to be focused on business-related study.

So we have two things happening here. One is a reinvention, a recasting of the social sciences and humanities research grants into a business-related research function. Then we have the provincial government drawing together all of the different research councils that we have operating, I might say very successfully, out there. Like, this has become a growth industry for us. This is an economic

driver. This is a cluster for us. All of those things that excited, you know, economists and Edmonton boosters talk about in having the Alberta Research Council located in Edmonton, in having the Alberta Heritage Foundation for Medical Research based out of here, all of the wonderful press releases that have come out: now they're looking at shifting that and rolling it into some strange thing that the government will control.

That's what this is about. You don't change this stuff that has worked very well because you just thought it would be fun. I mean, this costs money; it costs time. Let's face it, we've got a professional reputation that's tied up in this as well.

This is important. I think this is a serious mistake. I think we run the risk of not attracting the top-notch scientists that we want to see. I mean, look at what we've got running here in Edmonton and in Alberta. I'll talk about Edmonton because I know it better. We've got the nanotechnology centre here. We've got the new engineering building that's on the U of A campus. We've got a lot of medical research that comes out of here, the Edmonton protocol. We're developing the Edmonton clinic and that whole way of doing team-based approach. I mean, that's the stuff that flows from this, and it's working for us, and now we've got a government that says: "We're going to change it all. We're going to uproot everything. We're going to tear it all apart. We're going to roll it all together and do something completely different with it." I have yet to hear a clear explanation of why the government thinks this is a good idea. Everything that I look at says: no, no, no, do not do this.

Mr. Chairman, I'm actually surprised that I've heard as much as I have out of the research community because this is not a group of people that, you know, really has their finger on the pulse of current affairs and politics, that's following this with any amount of vigour, that would throw themselves into a political discussion about, you know – what's the word I'm looking for? – the configuration of the context of what they work in, the administrative set-up and format that they work in. They're researchers. They're off doing what they do. They're thinking about and inventing the new things that are to come. So, as I say, I'm surprised that I heard from as many of them as I did. Clearly, they are deeply concerned that this will shake what they know, that this will drive away some of the colleagues that they have who are currently here, that they will fail to attract new colleagues here.

Let's face it. These people are not coming here because they're going to get paid multimillions of dollars. They can go other places and get paid that kind of money. Frankly, they could go and work for, you know, Swiss drug companies. There are lots of places that if they wanted to go and just make money, they could go to and make money and lots of people willing to pay them a lot of money to do that. But this is about the opportunity to work with other amazing minds in a research-based facility with a focus on putting out and working toward an end here. I think this is a serious – a serious – step backwards. I am really concerned about what this does.

10:30

I talked in second reading about how impressed I'd been by that model of the heritage trust fund for medical research and what it had created for us, that it had created an economic cluster, and that I had based some of our policy going into the '04 and subsequent '08 elections with the same policy because it was based on that idea of creating endowment funds that you then used to drive a community of researchers and thinkers towards something else, that whole idea of an endowment fund that supported postsecondary education, an endowment fund that supported a capital fund. And when that capital fund had reached the point where it paid off all the infrastruc-

ture debt that we had accumulated and had built all the capital projects that we needed, that money would then roll over into the heritage trust fund. In the end, the ones you ended up with were the postsecondary education endowment fund and the heritage savings trust fund.

I'm puzzled by why the government would choose to do this. As I look around for what could possibly be the reasoning, that's the reasoning that I found is out there, that it is an approach that the federal Conservative government has taken in trying to control what kinds of things our researchers work on and develop, and that they want it focused into a business model. Now, these are fairly recent announcements, February 26 and March 17. These are recent moves by the federal government to control this, so we don't know what the outcome is going to be. I can't see how this is going to be a positive move. I can't see how this is going to recruit people, that it's going to attract scientists and researchers into Alberta. I can't see how this is going to move us into a more creative economy. I mean, we do need to be more creative. We have finite resources. We have less money available. Everybody wants everything, you know, bigger, faster, funnier, and more wonderful.

I don't think that this is a smart move on behalf of government. I think it is really going to cause us a lot of trouble. I guess all I can say is that for those that are in the research community that are following along with this and keeping attention on it, you need to start communicating with your elected representatives. As I say, I've heard from more people than I expected to on this one. If you want the government to understand the effects that this is going to have, the intended and unintended consequences, you need to start getting in touch with us.

I'm going to leave it at that and see whether I can get any kind of response from the government side as to why they would choose to do this. I've read in *Hansard*, and I'm not picking up anything that's particularly good about it. I'll take my seat and let some others discuss this, and maybe I'll get another opportunity to stand up and rebut a little later on.

Thank you very much.

**The Chair:** The hon. Member for Edmonton-Gold Bar on the bill.

**Mr. MacDonald:** Yes. Thank you very much. Bill 27, the Alberta Research and Innovation Act, is certainly an interesting bill. It follows a pattern, as I said in second reading, with this government of centralizing and exercising control, in this case of a series of endowment funds that, if this bill becomes law, will total over 2 and a half billion dollars.

When I first had a briefing on this, I thought it was a bill that one could accept, but when I talked to various people, they cautioned me. They warned me. They said: "Hold on. This may not be in the province's best interests. It may be in some people's best interests but not everyone's." If there's something that I think we have to guard in this Assembly and guard diligently, it is the public interest.

So we have a look at the Alberta Agricultural Research Institute, and we see what they're up to. We have a look at the Alberta Heritage Foundation for Medical Research, Alberta Ingenuity, the Alberta Research Council, iCORE, Alberta Forestry Research Institute, the Alberta Energy Research Institute, Alberta ICT Institute, and of course the Alberta Life Sciences Institute. They will all be sort of centralized.

We look at what's going on. Let's take, for example, Mr. Chairman, the Alberta Agricultural Research Institute. It's an unincorporated board consisting of representatives from industry, academia, and government. It was established under the Alberta Science and Research Authority Act. Its goal is to support the

growth of a dynamic, sustainable Alberta life sciences sector by leading the agribased industry's research, development, and deployment strategies and outcomes. Their final goal, if I can use that word, is to become an Alberta leader responsible for ensuring that agricultural research, development, and deployment delivers innovative solutions to the marketplace. The Alberta Agricultural Research Institute plays a big role in Alberta's agribased industry. I'm told that this role will continue to occur, but I don't know why we can't just leave well enough alone.

Now, the research institute has a priority of sustainable production. It continues to make significant contributions in support of the bovine genomics programs, enhancing the portfolio with investments in support of a national healthy embryo development network and further initiatives in livestock genomics. The investments that are also under this research institute include biomarker development.

I'm not going to get into this at this time, Mr. Chairman, but certainly we know that in August of 2007 the institute supported the eighth International Plant Cold Hardiness Seminar, critical to evolving cropping systems in western Canada amidst climate change. That is only one of a number of conferences and seminars that the organization has been involved in. They're certainly going to be involved in other critical conferences, as I understand. I certainly hope this continues, and whether you support or reject this bill, the institute will continue to work.

**10:40**

Now, I understand that two years ago there was close to \$5 million invested in the institute's three strategic theme areas: bioproducts, health and nutrition, and, as I said, sustainable production. I think we should just leave each one of these organizations as a stand-alone research facility. I thought about what the minister had said in our bill briefing – and I appreciated his time, as I said before – but I'm not convinced this consolidation or whatever we want to call it is in the public interest.

If we look at the Alberta Energy Research Institute – now, this is another one of the organizations that's going to be consolidated – according to the annual report, as I said in second reading, it's a \$10 million entity. Again, it is an unincorporated board, established under the same act, the Alberta Science and Research Authority Act. The Energy Research Institute works closely with other research institutes in business areas, with Advanced Education and Technology as well as key stakeholder departments of Energy, Environment, and Employment and Immigration. The Alberta energy innovation strategy and the Alberta Energy Research Institute's business plans are designed, I'm told, to position Alberta for the future in energy and environment so as to create value and build a strong Alberta economy.

I don't know where we would be going with all of this, Mr. Chairman, but certainly we look at hydrogen development from sources other than natural gas. We look at the source of that. Perhaps at some point it will be mostly coal, that source of hydrogen. We look at coal gasification in the coal seams. We look at ways of capturing and compressing CO<sub>2</sub> streams from exhaust from electricity-generating stations which are coal fired. There are any number of interesting projects that the Energy Research Institute can do and in some cases can continue to do without this consolidation, this big package idea that seems to be coming from the ministry of advanced education.

I know the ministry makes the comparisons of California and the San Jose area and some of the research clusters that go on there, but research and development will go on. Sometimes smaller may be better. It can be certainly in some cases more innovative.

I don't know whose research projects would get priority if we were to vote Bill 27 into law. Whose ideas would come first?

Which research would be funded, and which wouldn't be? How would those decisions be made? Some members have suggested that this may be politicizing the research and development community, and that would never happen here, hon. members, no, certainly not after one party has been in power for – is it 38 years or 39 years?

**Mr. Mason:** I don't know. I was in grade 11 when they got elected.

**Mr. MacDonald:** You were in grade 11 when they got elected. You're not that old. You must have been a very smart student. You must have combined a couple of grades in elementary.

Mr. Chairman, there are many projects that the Alberta Energy Research Institute could do. We know that there's a combination of resources in this province that "allows an integration strategy that maximizes synergies, protects the environment and aids in developing coal, oil sands, heavy oil, refining, petrochemicals and alternate energy resources." This is according to the annual report, the overview, a year in review of the Energy Research Institute. I mean, there's merit in what they want to do.

I look at the old ASRA, or whatever it was called, that initiated the research into the original oil sands extraction technology and the money that the province put into that, the taxpayers did, significant amounts of money, and some of the innovations or some of the processes were sold and adopted commercially. When we look at what return we're getting on those dollars now – I'd have to go back into the library and go back 25 years through Public Accounts to get an accurate figure – it's startling to think that we made all these investments through research and development, some of which were successful, some of which were applied commercially, and now we're getting 48 cents a barrel in royalties from some of those same facilities that got off the ground initially as a result of research and development that occurred here in this province, not sponsored but certainly supported by the government, and it worked.

It wasn't a big megafund. It wasn't a big mega endowment fund. It was a much smaller facility. I believe it was located at the corner of 17th Street and 101 Avenue, just in the east side of Edmonton, nestled between Edmonton and Sherwood Park. A lot of work went on out there. Of course, a lot of work went on in the field up in Fort McMurray. That's an example of a small research and development enterprise that certainly has worked out. Sometimes I think, Mr. Chairman, that we could be getting significantly more return on that investment. We've certainly built some big facilities up there as a result of that research and development that I don't think would have been built by the private sector. When we look at the Energy Research Institute, it's only one of many outfits that are part and parcel of this suggested legislation.

Now, another one is the Alberta Forestry Research Institute. The Alberta Forestry Research Institute certainly has a lot of work to do. Again, it's an unincorporated board. It was established under the Alberta Science and Research Authority Act. I'm not going to bore you, Mr. Chairman, with any of the other details of how it relates to other research institutes, but Alberta is Canada's fourth-largest manufacturer of forest products. Alberta's forest sector, as the government whip fully knows, contributes over \$8 billion to the provincial economy – this was in 2007-08 – ranking third after the energy and agricultural sectors. Forestry is the primary industry in over 45 Alberta communities. Of those, 12 communities are deemed forestry dependent.

**10:50**

Now, the hon. minister of advanced education has indicated, again, in a briefing I had with the hon. minister and his officials, that there was widespread consultation regarding Bill 27. Perhaps the

hon. Member for Peace River, the government whip, can confirm to the House in committee if any of the 45 Alberta communities where forestry is the primary industry were consulted regarding this consolidation into this one big megafund for R and D. Does Bill 27 suit the needs of the Alberta forestry industry?

Every member of this Assembly, I would suggest to you, Mr. Chairman, hopes that the forestry industry makes a quick recovery and that we get back to business as usual. We all recognize that many communities and many workers rely on this for their livelihood, and investment in research and development in the forestry industry will certainly help that economic recovery. Again, I'm concerned that the Alberta forestry institute will be treated as a little sister. I could be totally wrong, but I certainly hope that it would not be ignored. I'm not implying that little sisters are ignored in family discussions or family matters.

Now, as I understand it, two years ago close to \$4 million was invested in the Alberta Forestry Research Institute strategically in the areas of the resource management centre and fibre conversion technologies. I would like to find out more details on the fibre conversion technologies, but in the time that I am permitted, I doubt if that's going to be possible.

Certainly, when we look at this institute and others, we've got to be confident that the good work that these institutes do is not going to be swallowed up in this megaconsolidation that the minister is proposing here.

At this point, Mr. Chairman, at this stage of the discussion at committee, I would ask that we adjourn debate. Thank you.

[Motion to adjourn debate carried]

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

**Mr. Hancock:** Thank you, Mr. Chairman. I would move that the committee now rise and report progress on Bill 27. I do believe we've actually reported the other two already.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Calgary-Hays.

**Mr. Johnston:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports progress on the following bill: Bill 27.

**The Deputy Speaker:** Does the Assembly concur in this report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered.

### Government Bills and Orders Second Reading

#### Bill 44 Human Rights, Citizenship and Multiculturalism Amendment Act, 2009 (continued)

[Adjourned debate May 13: Mr. Hancock]

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

**Mr. MacDonald:** Yes. For clarification, we're on the amendment?

**The Deputy Speaker:** On the amendment.

**Mr. MacDonald:** Thank you. This is the amendment as proposed by the hon. Member for Edmonton-Highlands-Norwood that, certainly, Bill 44, the Human Rights, Citizenship and Multiculturalism Amendment Act, 2009, be not now read a second time because the bill has not been subject to sufficient consultation with teachers and school boards. I couldn't agree with the hon. member more.

I got up this morning, and I was reading in the newspaper where the chairperson of the Edmonton public school district 7 had suggested that this legislation certainly was not necessary or that the parental opt-out section was not necessary. Then you go around the province and you look at other newspapers and publications, and school officials are also indicating that if they had our jobs here this evening, they would support the hon. member's amendment to Bill 44. [interjection] They perhaps will.

I'm going to quote a gentleman from a recent edition of the *St. Albert Gazette*. I believe it's dated May 6 – it could be May 8 – and I apologize to the House and the members if I have the date wrong. The board chair – and this is why I think we have to support the hon. member's amendment – for the greater St. Albert Catholic schools, Mr. Dave Caron, states regarding Bill 44, "It's almost a sledgehammer approach to what I'm really not aware is a major problem." [interjection] That's very powerful, and if the hon. Member for Airdrie-Chestermere doesn't think that is powerful enough, this is another quote from the same individual: "It's unreasonable to assume that teachers have to get bogged down every time they want to touch on a topic." This is, again, from the board chair for the greater St. Albert Catholic school system.

Now, we do know that the School Act already allows parents to opt out of religion classes and requires educators to respect a diversity of opinion. This is also according to Mr. Caron. He is also concerned about how teachers could be hauled before the Human Rights Commission. He also fears an end to impromptu classroom discussions, and this is the teacher chill that the hon. Member for Edmonton-Centre had talked about earlier, I believe, the chill in the classroom.

The Catholic chair is not the only individual that has concerns. The same concerns were echoed by Gerry Martins, board chair for the St. Albert protestant schools. Mr. Martins had this to say regarding Bill 44: "We have no reports that it's not working and that parents are dissatisfied." He's referring, Mr. Speaker, to the School Act. He goes on to say, "Why do we need legislation that now puts it into another bill, another arena?" Now, those are two individuals from St. Albert.

The Alberta Teachers' Association president, Frank Bruseker, called the opt-out section utterly unworkable for teachers and argued that it goes against Alberta Education's own guide, which states: "Studying controversial issues is important in preparing students to participate responsibly in a democratic and pluralistic society."

Now, those are some of the individuals that have expressed a great deal of concern, and this amendment would deal with that matter and would deal effectively with their concerns.

11:00

**Ms Blakeman:** I thought this was five minutes.

**Mr. MacDonald:** Yes. You're absolutely right.

Now, I have one more point, Mr. Speaker, and this is stated by a St. Albert resident who heads the institute for sexual minority studies at the University of Alberta. That individual indicates that the opt-out clause represents a slip back into the 20th century at a time when

the province should be moving beyond tolerance towards celebrating diversity, and that individual was Kris Wells.

**Ms Blakeman:** It's a guy.

**Mr. MacDonald:** Yes.

Now, those are comments from four individuals. I think those four individuals, if they were present here tonight, if they were members of this Assembly, would give consideration to this amendment because in light of the political firestorm that's surrounding this bill, I think this is the right thing to do. Let's have sufficient consultation with teachers and school boards as to precisely how this is going to work, what sort of resources, if this bill became law, would be needed by school boards across the province to try to implement this.

**Mr. Mason:** It's a firestorm.

**Mr. MacDonald:** It is a political firestorm.

**Mr. Mason:** And I'm just a kid playing with matches.

**Mr. MacDonald:** Okay. Well, I'm not going to go there, but I am going to urge all hon. members at this late hour to please consider this amendment. I think it's the right thing to do with a very, very poorly drafted bill.

Thank you.

**The Deputy Speaker:** Any other hon. members wish to speak on the amendment? The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thank you, Mr. Speaker. I'll keep my comments to one specific point in the amendment. The amendment reads that this bill not be read because it "has not been subject to sufficient consultation with teachers and school boards." I just want to focus on one single issue concerning school boards, and it relates to what is in section 9 of the bill, which proposes adding further paragraphs, and there it contemplates notice to parent or guardian.

My concern, which I would like to get on the record – and maybe later on it can be addressed; I don't know – is that there is a genuine complication for schools to give the notice that is proposed here. How I would imagine that notice would need to be given to fulfill this particular paragraph of the act is that – and I'm quoting here largely from the bill – wherever there are "courses of study, educational programs or instructional materials, or instruction or exercises, prescribed under that Act," then notice has to be given to parents.

If you're thinking, say, of a school that goes from K to 9 and has going at any given time and in any given grade classes on world cultures which deal with religions, or perhaps it's a separate school board and there are religion classes, or perhaps there are issues or classes that one way or another deal with sexuality, I foresee a significant administrative complication with giving those notices and

then in getting them back. I can see somebody in the school office, which is already a very busy place, having files and files of paper and trying to keep it all straight or perhaps having to build databases so that we have to notify parent X in grade 2 class B, and we have to notify parent Y in grade 4 class X, whatever. It just feels to me like we're creating a bit of an administrative nightmare here, and I don't believe that that sort of consultation has occurred with the schools or with the school boards.

Of course, if you multiply that by the hundreds and hundreds of schools in the province, this feels like we're building a very complicated bureaucratic system. Frankly, if the schools fail to do that, then there's apparently a genuine risk of being taken to the Human Rights Commission, and of course there are real costs which are going to take resources away from the classroom or else are going to require further spending by the government.

**Mr. MacDonald:** Schools with site-based budgets.

**Dr. Taft:** Yeah, some school boards have site-based budgets, so resources are going to have to go to this from somewhere else.

I don't believe – I could be corrected – there's been consultation with school boards on the practicalities of this bill. I'm just zeroing in, because it's late and people want to get going, on that one particular issue, but that alone makes me feel that this is a sensible amendment and that, gee, you know, maybe we should just let this bill even sit for the summer and that we can let some of these issues percolate and come back in the fall and maybe make some amendments that streamline it or adjust it or address some of these issues.

I will be supporting this amendment, Mr. Speaker, because I think it's right on the money. Thanks.

**The Deputy Speaker:** Any other hon. member wish to speak on the amendment?

Seeing none, the chair shall now call the question.

[Motion on amendment to second reading of Bill 44 lost]

**The Deputy Speaker:** We are back on the bill now. Any hon. member wish to speak on the bill?

Seeing none, does the hon. minister wish to close debate?

**Mr. Blackett:** Thank you, Mr. Speaker. I'd like to close debate on second reading of Bill 44. Thank you.

[Motion carried; Bill 44 read a second time]

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

**Mr. Hancock:** Thank you, Mr. Speaker. I move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 11:09 p.m. to Thursday at 1:30 p.m.]









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