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The Honourable Kenneth R. Kowalski, Speaker

Legislative Assembly of Alberta

The 27th Legislature

Fifth Session

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Legislative Assembly of Alberta

7:30 p.m.

Tuesday, March 20, 2012

[Mr. Zwozdesky in the chair]

The Acting Speaker: Please be seated.

Government Bills and Orders Third Reading

Bill 4

St. Albert and Sturgeon Valley School Districts Establishment Act

The Acting Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I'm pleased to move Bill 4, the St. Albert and Sturgeon Valley School Districts Establishment Act, on behalf of the Minister of Education.

It's one of those pieces of legislation that has a special purpose. It's brought forward to deal with a specific circumstance in the province. It's a unique circumstance in the province, but it is one that needs to be dealt with, so I would encourage all members to pass this bill tonight so that we can get on with the necessary reorganization in the St. Albert-Morinville area.

Essentially – it doesn't need repeating, Mr. Speaker – I just want to say that in the area of Morinville and Legal we have this historical anomaly where the public board is the Greater St. Albert Catholic board. In accordance with sort of the modern parlance, Catholic education talks about permeation. In other words, Catholic values permeate everything they do in the school. The Greater St. Albert Catholic board, although it's a public board, has been very reluctant to provide a secular option for students in Morinville and Legal.

Of course, everyone has a right to choose an education. If they wish to choose a non faith-based education, what we would consider to be in the normal parlance a public education, they have the right to do that. This has been a particularly difficult issue in that area because, I think it's safe to say, the vast majority of people served by the Greater St. Albert Catholic public school board are quite happy with the education that they get, whether they're Catholic or not. A majority of the parents and students in the area would like to see the status quo, but there are people in that area who have the right to a secular education.

The only way that it can be provided in the long term – there was a short-term solution whereby Greater St. Albert Catholic contracted with Sturgeon to provide secular education in Morinville, but of course in the long run parents also have the right to vote for their school trustees. Because the secular program is being offered under contract by the Greater St. Albert public school board – Sturgeon is offering it, but they're offering it pursuant to a contract – one could say: well, you are voting for the trustees that represent you. But, in fact, people would like to have a much more direct connection with their school board, with the school that's delivering the program, so what's needed here is to establish that area as a public board. This act will do that by adding it to the Sturgeon public school board.

Then, of course, you have the issue that you have the Greater St. Albert board operating in the area, and it's disestablished as the public board but then gets established as a minority faith board and therefore can then continue to operate in that same jurisdiction but now as a minority faith board, which is, in fact, the way in which it's been operating. With this solution you can satisfy the parents and the students who want to continue with Greater St.

Albert Catholic regardless of their faith. You can provide a secular option through the Sturgeon composite as the new public board. The Minister of Education will have to of course deal with the issues of how you actually deal with where the schools are located, et cetera, but that's an operational issue which will have to come very shortly. It is necessary to pass this act now so that they can get on with ensuring that it's all operational by September 1.

The other issue that we've heard in the House, of course, is that if Greater St. Albert Catholic is the minority faith board, what happens to St. Albert Protestant? St. Albert Protestant is currently the minority faith board within the city limits of St. Albert. The act also provides for St. Albert Protestant to become the public board within the confines of the city limits of St. Albert. In this way we can regularize the school delivery process in that area, ensure that there is a public option, that there is a minority faith option, that everything can move along, and that the students in Morinville and Legal can have access to the secular education option that their parents desire for them.

None of this is easy. It does involve disruption for people, but this is the best solution available to solve the problem in that area. As I say, it's a local problem. It's a one-purpose act, really, and I think it's time that we deal with it and move on and allow the Department of Education to work with the school boards involved to ensure that all of the operational pieces are in place for our students. Of course, fundamentally, what's important about all of this is to make sure that students have a good education and an opportunity for a good education and to make sure that that's in place for them for September 1.

Thank you, Mr. Speaker.

The Acting Speaker: Thank you.

The hon. Member for Edmonton-Riverview.

Dr. Taft: Thank you, Mr. Speaker. This is a surprisingly complicated and divisive issue. On the surface of it it seems pretty straightforward, but there are very strongly felt positions on both sides, pro and con. Those have bubbled up in our caucus, and it was interesting to watch them become public in the government caucus as well.

I must comment, with great respect, on the speech given by the government member for St. Albert, a very well-expressed, well-thought-out speech that I heard about a week ago, in which he stood in opposition to his own government on this. I was impressed with the nature of his arguments. I was equally impressed by the guts of a government member to stand up and so strongly and pointedly and extensively speak in opposition to a government bill. I am glad that the government allowed that, not that they would have been able to stop him. I would like to see more of that debate, where members of this Assembly follow their own conscience and their own constituents rather than what's laid down by their leadership.

I am just going to make two other comments. My strong sense is that this has probably been quite traumatic for the community in Morinville and in and around Morinville. These kinds of disputes tend to pit neighbour against neighbour, family against family, friends against friends, and that's very unfortunate, but my bet is that that has happened.

I would urge the minister or the MLAs for the area or any of us, if we have the opportunity, to try to work somehow to reconcile those differences. We're talking about things that are very, very important to people: their religion, their children, and their community. It doesn't get much more basic than that. I think some recognition that this has probably torn the fabric of that

community and that there might be some special way to help heal that would be important.

The last point I'll make, which might be a gesture towards moving forward, would be that this issue, as I've understood it, will ultimately require a new school building in Morinville or in the area, and I would urge this government to move quickly to provide that facility, if it is needed, because of the particular strains that this issue will be causing in that community. If the need for a new building is an outcome of this issue, then let's get on with that. Let's not force this wound to fester; let's try to heal it. I would certainly support the government in taking that kind of a step.

With those comments, I believe that's it for me. Thank you, Mr. Speaker.

The Acting Speaker: Thank you.

[Motion carried; Bill 4 read a third time]

7:40

Bill 5 Seniors' Property Tax Deferral Act

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

Mrs. Jablonski: Thank you, Mr. Speaker. I rise today for third reading of Bill 5, the Seniors' Property Tax Deferral Act.

I'm so pleased to see this important piece of legislation going forward. I'm also pleased to be able to thank all members who have taken time in this House to speak to the bill and the Minister of Seniors, who was very adamant in having this bill come forward and be debated.

There were many thoughtful questions raised, and I can assure the members that this government is giving all of them consideration as we review the best options for this program and as we work to develop regulations over the summer and fall. Some questions arose related to the interest rate, specifically how it would be set, and suggestions that it be set at a level so as not to burden our seniors. We are committed to a lower interest rate for this program. In addition, this interest rate will most definitely not be set arbitrarily, as one member thought that it might.

Income and means testing were inquired about by a few members. Our desire is for this program to be available to all senior homeowners. As such, eligibility will not be related to income levels or assets. Again, I would like to reiterate that many of these details will be thoroughly thought out as we develop the regulations.

Lastly, I would like to address a concern that came up more than once regarding home equity for eligible seniors. This is an insightful concern, and I'm very pleased with the depth of thought that other members have given to this bill. A minimum level of home equity will definitely be worked into the regulations.

It is not the intention of the program to put any seniors in difficult financial situations. Indeed, the intent is the exact opposite. This program is designed to give seniors additional assistance by freeing up funds. Senior homeowners will have the ability to defer a portion or all of their property taxes and can then use the extra cash for other priorities. But we don't want seniors to be borrowing money they don't need or they don't have. As many members pointed out, there are seniors who have equity in their home that they can use to their advantage, and we want to help them do that.

Other provinces have similar programs – B.C. and Ontario as well as New Brunswick and the Yukon – but I would caution members not to compare Alberta's program too closely to those

programs. The program will be designed to meet the needs of seniors in Alberta. In some jurisdictions municipalities administer their version of a seniors' property tax deferral program, but municipalities here in Alberta have asked us not to add to administrative burdens through the introduction of this program, and we have listened. Government will take responsibility for managing this program and will communicate with municipalities to ensure the most efficient delivery of the program.

I would like to sincerely thank all members again for taking the time to speak to this bill, and thank you to the many members who support this bill and who support a seniors' property tax deferral program. It's just one more option we can provide to our seniors to help them to continue living independently in their own homes in their own communities with the dignity and respect they deserve.

Like the hon. Member for Whitecourt-St. Anne I, too, have heard from many seniors requesting this type of program. I thank the Member for Whitecourt-St. Anne for being the inspiration behind this bill. It makes me very proud now to be a witness to this government listening and delivering on the needs of our seniors, who built this amazing province.

I look forward to working on the development of the regulations for the seniors' property tax deferral program this summer and fall. Thank you.

The Acting Speaker: Thank you, hon. member.

Are there any other speakers? The hon. Member for Calgary-Mountain View.

Dr. Swann: Thank you very much, Mr. Speaker. A pleasure to speak to Bill 5, the tax deferral bill, which I think most of us feel will be welcome in the current context of market value assessments being such a burden for, especially, the inner city but in many cases suburbs as well, where seniors have seen their property values rise tremendously over the last decade and in some cases constrain their ability to live in a healthy way with the rapid rise in their property taxes.

In the main I think this is an excellent approach to delaying the tremendous costs that are accruing for those on a fixed income, and a small fixed income. I think it's a plus that it's flexible, that it's based not on means testing so much as individual choice and preference, and that means it can be customized to meet the needs of the individual or family and their potential future. Certainly, there are questions around what might happen with the bequeathal of a home to a child, a spouse. The ultimate decision, I guess, is going to have to be made as a family on the basis of what kind of accruing cost and interest is going to have to be met at some point in time. Again, that leaves a lot of onus on the individuals and their families to sort out the short- and long-term implications of a growing debt, I guess you might say.

We're on the record as disagreeing with the current market value assessment, and we hope that this will be another incentive. I mean, this is a stopgap for dealing with the tremendous burden that the market value assessment has placed on especially inner-city homes when a lot of the outlying homes have had a much more onerous cost on local government services and the servicing costs associated with their building. We think there has got to be a more equitable way of sharing the costs of urban development. It seems to me, at least, that there has been not enough thinking go into the whole notion of market value assessment, based on the kind of inflationary changes and local real estate values that don't necessarily reflect the true value of a home or, indeed, don't reflect, as I believe, the true value of some of the suburban and marginal homes in the outskirts.

At the same time that I can support this notion of taking pressure off especially people on a fixed income and seniors, I do have to register again my concern that the market value assessment approach is not serving the majority of inner-city people and is creating, I think, a tremendous burden on many who want to stay in their homes but are now paying much more significantly. When this bill passes – and I say when it passes because every bill that this government brings forward it chooses to pass; it has the numbers to do that – it means that people will be deferring that for an indefinite period and still at the end of the day paying a tremendous amount that may be difficult, depending on the circumstances.

With those few comments, Mr. Speaker, I'll take my seat.

The Acting Speaker: Thank you.

Are there any other members who wish to speak? The hon. Member for Lethbridge-East.

Ms Pastoor: Yes. Thank you, Mr. Speaker. Firstly, I'd like to acknowledge the hard work that's been done over the last number of years by the Member for Red Deer-North. This has been a passion of hers as seniors have been a passion of mine. Certainly, when I was on the other side of the table we worked closely together because this is an issue that is passionate to both of us, so I just wanted to thank her for the work that she's done on this very important bill.

One of things it does is give seniors choice, the choice to be able to stay at home. To me it's even more important because it will allow those that are on such tight incomes to be able to have some extra money to be able to live and not just exist from pay cheque to pay cheque.

I've spoken on this before, so I'll be brief. I do believe it's very important. It opens up a whole new way of seniors being able to be independent and to actually make some of their own decisions and not having to go to the bank. I think that this is going to be a much easier way of doing it.

I know we heard about creating huge bureaucracies. I don't believe that's necessary. I think we've got a perfectly good Seniors ministry right now, and I'm sure that they can work that through in some fashion. I'm not expecting it to be a huge take-up, but for those that do take it up, it will be more than beneficial to them. So I'm certainly pleased to be able to support this bill.

Thank you.

7:50

The Acting Speaker: I have the Government House Leader, who rose just moments ago, followed by the Member for Calgary-Nose Hill. First, Standing Order 29(2)(a) is available. Is there anybody under 29(2)(a)?

Hon. Government House Leader, please proceed.

Mr. Hancock: Thank you, Mr. Speaker. I am delighted just to add a few words to the debate on Bill 5, the Seniors' Property Tax Deferral Act. This is one of those bills which makes it worth while to keep coming back and to continue to participate, and I say that because this has been something that I have been pushing and sponsoring and advocating for for many years.

In my riding of Edmonton-Whitemud we have some strange anomalies. It is the highest income, highest education riding in the province, or it was at one time. I couldn't verify that it is still today, but at one time it was the highest education, highest income riding in the province. It also has some neighbourhoods that have some very nice houses, and I have to admit that some of the neighbourhoods I'm talking about I ceded to Edmonton-Riverview a few redistributions ago.

A community like Grandview, for example, that was in Edmonton-Whitemud, is now in Edmonton-Riverview, is where people bought their houses in the early '60s, they raised their families in their houses, and they wanted to stay in their houses as they grew older. The houses had significant value; therefore, their tax bills were quite high. The houses were also getting older; therefore, the cost of upkeep was high. For many people it forced a decision that they didn't particularly want to make, a decision that they had to move when they would just as soon have stayed, lived their lives out in the house where they raised their families and the place they called home.

That's not limited to Grandview. That's a number of different communities in my constituency, where you have people who have worked hard all their lives, who have invested in their homes and their families, and who, in fact, have a lot of their net worth tied up in their houses. They've perhaps paid their mortgages off, but they're what I would called living on the margin. Costs of living have been going up. The pension is not going up, or the income is not going up. Sometimes they have investments that they were earning interest on, and of course we know what's happened with the interest rate now.

People who are good, hard-working, prudent people find themselves in the position of having to make very difficult choices about their living – which bill do we pay? – because of the costs. Sometimes we have, as we did this winter, an almost inexplicable spike in the electricity rates; for example, when a power plant goes down on an unplanned basis, and the price goes up. The cost of heating for some of those houses can be very high in the winter. So the cost of staying in your home becomes an issue.

Ever since my first election, actually, I've been a very strong proponent of this type of act. For various reasons over the years I have a number of memos from a number of different Finance ministers over the years which explain why this is something we cannot do, and I put them in my file. We continued to advocate, and I know that others in this House did as well. The Minister of Seniors, for example, had brought this forward as a private member's bill, I think, several times. Others have been advocating for it.

This is a very prudent piece of legislation. It's not about giving people something for nothing. It's about setting up a system where a senior can use the equity in their home to stay in their home. They can pay their taxes using their equity in the house.

I mean, at some point it would be interesting if we could go further and say that we could help them with some necessary renovations to help the building envelope or those sorts of things, but I'm actually quite excited about where it goes now because we do have a lot of people who have built up the equity in their home, who've paid off their mortgages, who've lived prudently, who've raised their families, and who want nothing more than to be able to stay in their neighbourhood with their friends, tend to their gardens, go on the odd holiday.

The cost of living has increased. I mean, we celebrate the strong economy in this province and the fact that it's coming back better than anywhere else. That overall is a very good thing, but it can be a challenge for somebody who retired on a fixed income or somebody who retired expecting a certain set of circumstances with respect to the interest rates and is facing a different set of circumstances because that's changed on them.

I don't want to belabour the point. It's a relatively straightforward bill. I do want to say for the citizens of Edmonton-Whitemud that I would encourage you to vote in favour of the bill, to pass it tonight so that we can get this in place for next year's tax

season so that these people, who are in essence living on the margin and others if it makes sense for them, can have the benefit of borrowing at a government rate against the equity in their homes in order to be able to stay in their own homes for as long as possible. That's what this really allows. It really enables that option for many seniors who live in my area.

For that, I thank the hon. Member for Red Deer-North for bringing the bill forward, I thank government for making it a government bill, and I would thank members of the House for passing this this evening and making it possible.

The Acting Speaker: Thank you.

Hon. members, 29(2)(a) is available.

Seeing no one, I'll call on the hon. Member for Calgary-Nose Hill to speak next.

Dr. Brown: Thank you very much, Mr. Speaker. It's my pleasure to rise in support of the Seniors' Property Tax Deferral Act, Bill 5. Much of what I wanted to say has already been said by my colleagues, but I would like to mention a couple of things.

We have had in Alberta a property tax freeze for the provincial portion of property taxes since 2004, and I think it's worth stating on the record because I've found in my years of service as an MLA that a lot of seniors are not aware of the fact. They may not have been in a lower income bracket where they felt inclined to apply for the Alberta seniors' benefit, but you do have to make an application in order to get your name on that list, initially at least, and then every year it automatically happens that your provincial portion, which is the education portion of the property tax, has been frozen since 2004 for anybody from the age of 65 and older.

Now, I think Bill 5 is taking the next logical step here. We're not just freezing our portion of the taxes, but we are enabling seniors to access some additional cash flow by allowing them to defer all of their property taxes, both the provincial portion and the municipal portion.

As my friend the hon. Government House Leader has said, it's something that doesn't have to cost a lot of money to the provincial government. It need not cost any money, really, if it was somewhere near the market rates for interest that was charged. With interest rates the way they are right now, it would not cost a lot of money to the seniors in order to access that additional cash flow. As the hon. Member for Lethbridge-East has said, quite often that additional cash flow can make a big difference to a senior who's living on a fixed income, perhaps a pension or a spousal pension. Being able to access that additional money which they would otherwise pay towards property taxes can make a significant difference in their lifestyle.

Another thing I would like to point out, Mr. Speaker, is that this will particularly be a benefit to those people who are living in our larger centres, places like Calgary and Edmonton, who are living in older neighbourhoods which have become quite desirable over many, many years. People who are living in the inner city have been there since the 1950s, a lot of them, and they've seen their property values skyrocket because it's a desirable place to be, has good access to the downtown and to the places of work.

Through no fault of their own they have been subsidizing a lot of the growth of our large urban centres, a lot of the new areas and the infrastructure that happens: the overpasses, the hospitals, the water treatment plants, the sewage treatment plants. All of those types of things get piled upon the property tax, and unfortunately the people in these established neighbourhoods, particularly the seniors, are often paying the price. So this will have a very significant impact on many of my constituents that live in Huntington Hills and in Beddington and in Thorncliffe.

I applaud the hon. Member for Red Deer-North for bringing this bill forward. Also, the Minister of Seniors, I know, has been a great proponent of it. I urge all my fellow MLAs to get behind this bill and to pass it.

8:00

The Acting Speaker: Thank you.

Standing Order 29(2)(a) is available.

Seeing no one, I will call on the hon. Member for Leduc-Beaumont-Devon.

Mr. Rogers: Thank you, Mr. Speaker. I'd just like to take this opportunity to make a few brief comments on this bill, the Seniors' Property Tax Deferral Act, and thank the hon. Member for Red Deer-North for her efforts in shepherding it this far. I also want to acknowledge the Minister of Seniors, the hon. Member for Whitecourt-Ste. Anne, for his tenacity over the years in raising this in our caucus among many government members. Actually, this has been championed by many government members over the years.

Mr. Speaker, from my own personal experience going back to my earlier years as someone who worked in the finance department of a municipality and knowing the tax system and the growth of assessment and the strength of our economy, I remember reading a story some years ago about I believe it was West Vancouver, where seniors living in that part of B.C. had owned these very modest properties that they were still living in after 30, 40, 50 years. Because of the growth in the value of those properties, through no fault of their own, they now found themselves in a position where, frankly, they had a tough time paying their taxes, and some of them were in jeopardy of losing their homes. I think that is probably why the province of British Columbia some time ago brought in a similar bill.

Certainly, with the strength of the economy and the growth of real estate in our province I know that this will be a very welcome addition to the tools that our seniors will have available to make their lives just that much easier. Just to mention, Mr. Speaker, for anyone that would think that this is a gift, this is not a gift. This is an opportunity for seniors to defer this value on their taxes. This will be paid at some point in the future.

I just can't say how much I appreciate that we're at a point where we're finally going to bring this measure forward and give some welcome relief to our seniors. I, too, Mr. Speaker, would encourage all hon. members in this Assembly to support this very worthwhile bill.

Thank you very much.

The Acting Speaker: Thank you very much, hon. Member for Leduc-Beaumont-Devon.

Standing Order 29(2)(a) is available if anyone wishes to question the previous speaker.

Seeing no one, is there anyone else who wishes to speak at third reading to the Seniors' Property Tax Deferral Act? The hon. Minister of Tourism, Parks and Recreation.

Mr. Hayden: Very quickly, Mr. Speaker, I'd like to congratulate the hon. member on this bill and also add my name in support. Anything that we can do to add an opportunity for people to retire with grace and dignity and comfort is something that I support, and I encourage all members to support this bill.

The Acting Speaker: Thank you.

Standing Order 29(2)(a) is available again.

Seeing no one, are there any other speakers at third reading?

The hon. Member for Red Deer-North to close debate.

Mrs. Jablonski: Thank you, Mr. Speaker. We all know that many of our homes over the past few years have escalated in value, and that means that for some the taxes have gone up. In order for our seniors to be able to stay in the homes that they may have built and that they love and, possibly, raised their families in, this bill will give them that opportunity. For that reason and for another reason, to help them get through the month if they have a gap in their income and their needs, this is another tool. This tool will help in that area, too. For those reasons I'm very pleased to have been able to bring this bill, in partnership with the Minister of Seniors, to the floor.

I'm thanking all the members again for supporting this bill and urge all to support it. Thank you.

The Acting Speaker: Thank you.

[Motion carried unanimously; Bill 5 read a third time]

Bill 6 Property Rights Advocate Act

The Acting Speaker: The hon. Member for Bonnyville-Cold Lake.

Mrs. Leskiw: Thank you very much, Mr. Speaker. It is indeed a pleasure to rise and move third reading of Bill 6, the Property Rights Advocate Act.

On behalf of my colleague the Minister of Environment and Water I would like to thank this House for the support shown for this bill and what it's designed to accomplish. We truly appreciate the input from Albertans all across this province who took the time to speak to the government about issues near and dear to their hearts.

Through second reading and Committee of the Whole we better examined what this act could achieve for Alberta. We discussed the importance of property rights, the importance of listening to Albertans, the need to ensure that we are addressing consultation, compensation, and access to the courts and the need to establish an advocate to assist Alberta landlords. Bill 6 will build landlords' confidence through the advocate, a source of independent information and assistance to all landlords in Alberta.

The next step is passing Bill 6 so we can establish the property rights advocate office. Thank you, Mr. Speaker.

The Acting Speaker: With that, can I assume that you are moving third reading on behalf of the minister? Would you like to just comment?

Mrs. Leskiw: Yes. On behalf of the minister I'd like to move third reading.

The Acting Speaker: Thank you very much.

Are there other speakers to Bill 6? The hon. Member for Edmonton-Riverview.

Dr. Taft: Thanks, Mr. Speaker. Bill 6 is one of those bills that strikes me as a kind of window dressing piece of legislation. It's harmless. It may even be a little bit helpful. I'm not sure it's ever going to really change anything, and I'm not sure it's actually intended to. What it is, essentially, is some political damage control that the government has brought in because of self-inflicted injury largely stemming from, if you trace the roots back far enough, the misguided move, in my view, to a deregulated electricity system.

Some Hon. Members: Hear, hear.

Dr. Taft: I have at least a couple of people supporting me on that view.

The great rise of concern over property rights in Alberta has largely been because of the efforts or the push to build enormous electrical transmission lines at great lengths around the province. These are transmission lines of a scale that's unprecedented so far in Alberta. The towers are 20 storeys high, one after the other. If you imagine owning a farm or living in a town or something and you've had an open view of the landscape, of the prairie, or of the sky and now there's going to be this array of 20-storey-tall transmission towers from one end of the horizon to the other, you can see why people are unhappy. It affects property values, it affects quality of life, and so on.

The way that government has rather clumsily implemented all of this has fuelled people's fears that they've had no opportunity to step forward and protect their property, that, in fact, if worst comes to worst, the government will seize their property and so on. I have no doubt, Mr. Speaker, that there's been a lot of misinformation spread around these issues, but perception becomes reality in politics, as we sometimes learn.

I just want to make the point that if we had not gone to electricity deregulation, we wouldn't need such extensive transmission lines. Under the regulated system there were monopolies. They were regulated monopolies, and they worked incredibly well. The same companies who did the generation also owned the transmission and distribution lines and did the retailing and everything else. When they brought forward a plan for generation, they only required transmission that was necessary for that generation. No more. They didn't have to overbuild anything. They would seek approval. They were required to finance 50 per cent of the transmission lines, and we didn't end up with these great big brouhahas.

8:10

Under a deregulated system the whole transmission structure of Alberta has to be massively overbuilt because there's no connection, no co-ordination and planning between generation and transmission. The transmission lines have to be built so that they can accommodate generation almost anywhere along the route. As a result, you need far more capacity. The other problem that this government imposed on this system is that it removed all responsibility for financing the cost of building transmission lines from the electric companies, so there's absolutely no incentive on the transmission companies to curtail their ambitions for construction.

Finally, the New Democrat caucus brought this up, I think, yesterday. The Liberals have brought it up repeatedly over the years. I've actually seen the maps. I've got a copy of the map in my Annex office, Mr. Speaker, of a proposal – this is a map out of the United States – for a massive transmission line running straight from northeastern Alberta, right through Alberta, right down to the western U.S. and ultimately California. Again, there's every reasonable perception that Alberta's about to get into the electricity export business in a really big way, hence the demand for these transmission lines.

Mr. Knight: Kevin, you know that Northern Lights tried it about six years ago.

Dr. Taft: I urge the Member for Grande Prairie-Smoky to stand up and jump into the debate. I'll send him a copy of the map tomorrow. The Member for Lethbridge-East has seen it, actually. Anyway, all of this is background.

Because of these fumblyings by the government of the electrical system we created a huge backlash, and part of that backlash was

around property rights. So what we have now is a Property Rights Advocate Act, which is, as I said earlier, political damage control.

The act proposes to establish an advocate that will field questions and provide information and so on to the public around the topic of property rights. But, really, it's mostly public relations. It seems harmless. It probably is harmless. As I said, it might even be a little bit helpful. It's going to cost some money, not a huge amount, I hope. Ultimately I think it's essentially an exercise in damage control. If we'd had better management of the electrical system and had avoided the debacle of deregulation, we wouldn't be needing this piece of legislation, Mr. Speaker.

Those are my comments on it, and I'll leave it at that. Thank you.

The Acting Speaker: Thank you.

The hon. Member for Edmonton-Highlands-Norwood.

Mr. Mason: Thank you very much, Mr. Speaker. Well, I would like to join the debate on Bill 6, the Property Rights Advocate Act. I will echo the view of the hon. member for Edmonton . . .

Dr. Taft: Edmonton-Riverview. After all these years you still don't know?

Mr. Mason: I'm going to miss you. Yeah, I will.

I'll go maybe a little bit further and say that this bill would not have been necessary and should not be necessary if the government had not shown its contempt for the rights of landowners in the province of Alberta through the introduction of a number of pieces of legislation. It has been backing up and backing up and backing up on this issue ever since because it created a fine, fine political mess, basically attacking the rights of its own political base in rural Alberta, the people that have voted PC over and over, year after year. Then this government just showed what a heavy hand it had and what little respect it had for their rights and for the democratic rights of all Albertans.

Naturally, there's been a reaction. When three bills were introduced – Bill 19, the Land Assembly Project Area Act; Bill 36, the Alberta Land Stewardship Act; and Bill 50, the Electric Statutes Amendment Act – the NDP stood up and fought each one of those bills, not because everything in each of those bills was wrong but because they contained an overriding power, unchecked, over the rights of individual citizens, and it was wrong.

Mr. Speaker, if you go back and look at what the government was trying to do at that time, I think you'll understand why exactly people became convinced that this government didn't respect their rights. Bill 19 was not a bad act in many respects – the government obviously has to assemble land – but the provisions that it contained that allowed it without due process to essentially sterilize for great periods of time people's land and not allow them to develop or use it without compensation or without defined compensation and without due process were, frankly, completely unacceptable.

Similarly, Bill 36, the Alberta Land Stewardship Act, had some important directions. We support the principle of a land-use framework, but we oppose the provisions of the act which concentrated decisions regarding land-use plans in cabinet. So it's the centralization in this particular case over land-use planning, Mr. Speaker, that gave the problem.

Perhaps the most serious and egregious piece of legislation of that ill-starred trio was Bill 50, the Electric Statutes Amendment Act. The hon. Member for Edmonton-Riverview has identified the relationship between this particular piece of legislation and

electricity deregulation, which requires massive transmission capacity to support a market-based approach to generation, perhaps one of the most misguided actions of this government in its history, and has now forced the government to go ahead with a transmission infrastructure which is massively overbuilt and far more than a regulated system would require for the reasons the hon. member outlined.

In order to get this all through in record time, the government, of course, subverted its own intentions to keep transmission as a regulated requirement and did away with the regulatory oversight. In that way, Mr. Speaker, they were able to push through transmission – very, very expensive transmission – without proper process and oversight. That is the third, I think, and final bill. Of course, it has the right under Bill 50 to push through transmission infrastructure regardless of the wishes of the people who may be in its path.

So the government has created a problem. It has created a fear and a concern, legitimate to a large degree, on the part of landowners in this province that it can't be trusted to protect their rights. In order to try and pacify those people, it's creating this advocate, somebody to keep an eye on the government because the government can't keep an eye on itself. The government just can't resist exerting its authority and its power over the citizens of this province, so they've set up this bill to set up the advocate.

Now, the hon. member has also said that, you know, it might help a little bit, but it's pretty neutral. I have a better idea, Mr. Speaker. Instead of passing Bill 6, the Property Rights Advocate Act, why don't we repeal Bill 19, repeal Bill 36, and repeal Bill 50? Then we won't need Bill 6. We'll have four fewer bills.

8:20

I think, Mr. Speaker, that this government has forever damaged its own reputation. Conservatives, at least in theory, are supposed to be people who believe in property rights. It's not that social democrats or Liberals don't, but it's always been my thought that, you know, Conservatives were really concerned about property and property rights, yet the opposite seems to be the case. I don't understand it.

I thought it was very odd that it was the NDP that was standing up and fighting for the property rights of rural conservative Albertans and not the Conservative Party. It was a very odd kind of situation. But I'm proud of what we did at that time to challenge these bills. Had the government listened to the arguments we made, it would have saved itself a whole lot of trouble and we wouldn't have to be voting tonight on Bill 6.

Thank you, Mr. Speaker.

The Acting Speaker: Thank you very much.

Hon. members, 29(2)(a) is now available.

Seeing no one, is there anyone else who wishes to speak at third reading on Bill 6?

If not, does the hon. Member for Bonnyville-Cold Lake wish to close debate?

Mrs. Leskiw: I want to thank the hon. members for their comments on third reading. As we discussed, it's the importance of property rights, the importance of listening to Albertans, and ensuring that what we heard is addressed: consultation, compensation, and access to the courts.

I call for the vote on this bill.

The Acting Speaker: Thank you.

[Motion carried; Bill 6 read a third time]

**Bill 7
Appropriation Act, 2012**

[Debate adjourned March 20]

The Acting Speaker: The hon. Member for Edmonton – oh, sorry – Calgary-Mountain View.

Dr. Swann: Thank you, Mr. Speaker. I am coming from Edmonton tonight, but I do represent Calgary.

Dr. Taft: The Oilers won, 5 to 2.

Dr. Swann: The Oilers won 5 to 2, I'm hearing, so good news for Edmonton.

Ms Pastoor: Where is Canada in the curling?

Dr. Swann: I can't comment on other sports at this time.

The Acting Speaker: Tie it in with Bill 7. Proceed, please.

Dr. Swann: I'll focus my attention on Bill 7, the Appropriation Act, 2012. Well, Mr. Speaker, it's difficult to support a budget that once again provides no stability, no plan to save, and no decision to stop living off of the resources belonging to our children, some of whom are in the gallery today, to hear about a budget that really plans to continue the status quo of living off the resources that we've been so wonderfully blessed with.

We're living on a wing and prayer, I would say, that the oil prices, the resource prices will continue to be high and that we will have this one-third of our budget sustained so that we won't have to cut the budgets for education, health care, our most vulnerable people, since we haven't had the guts to charge Albertans today what it requires to pay for the services today.

We're living off the backs of our children, nonrenewable resource revenues. We've heard it said many times even by members in this government: we have to stop selling off the topsoil; we have to stop living off of a nonrenewable resource and start saving. How many years have we been hearing this? Yet once again we have a budget that has the same agenda. It's really staggering that a Premier would promise to do things differently and come forward with a budget that continues to reinforce a structural deficit year after year which hopes that the prices of this commodity will increase and that in some way, magically, we will leave our children and our grandchildren as stable and as resource rich and as environmentally protected a province as we inherited, which is now far from the truth.

It's clear that we need leadership in this province. Something like the leadership in Norway would be welcome, Mr. Speaker. As we've heard, past ministers have gone to Norway and have in some ways appreciated and celebrated what they saw in Norway, where in half the duration that we've had, they have accumulated \$500 billion in their savings, managed to protect their citizens with stable resources and taxes and maintain programs, have some of the best health indicators in the world, ensure that street people are properly dealt with, people with disabilities are well cared for, have among some of the lowest psychiatric and social problems in the world.

We don't seem to be able to make the change to that kind of thinking, that kind of leadership, where we actually draw upon the resources that each of us earns in taxes. Tax is not a bad word. It is something that, actually, modern governments that really think about the long term and think about the well-being, the stability of their society would do well to acknowledge. We still wait, two decades on now, for that kind of leadership in this province.

Environmental stewardship goes with the leadership in Norway and profoundly offers the future to their children and their grandchildren by ensuring that the resource revenue is saved and they meet, internationally, among the highest standards in the world in terms of their limited ability to grow. They recognize limits. That, Mr. Speaker, has to be the foundation of good financial planning.

I would have thought that people who call themselves fiscal conservatives would acknowledge and embrace that concept, that we have to live within our means. We cannot borrow from the future and expect to get respect, expect to have stability, sustainability, and honour our commitment to both our environment and to future generations. This is a government that has snubbed its nose at climate change for decades and only in the last few years has said, as I quote the former environment minister: climate change is real in the last few years, and we must be serious about addressing it.

This goes hand in hand, I think, with a government that wants to live for today and assume that our wonderful wealth of resources will go on forever and that those who are most struggling in our society – and the very foundation of our prosperity is really education. We hear the words on the other side. We just don't see the actions to back up the words, to say: "We are going to fund our education system. We are going to provide full-day preschool so that we enrich the lives of our most vulnerable kids. We are going to ensure that all families have fair and equitable access to the best possible education, that our postsecondary students are going to get the best possible opportunities to both get in and succeed at school by helping them with lower tuition fees and incentives to give them success in their work, psychological help if they need it, extra learning skills if they lack them." It's willingness to truly match our words with real investment, which is what it is.

We also, I think somewhat predictably, suffer in Alberta from some of the highest rates of social problems, family violence, depression, addictions, and a not very enviable, I would say, infant mortality rate. It may be that our high-class health care system, with the most expensive and high-tech medicine, can save lives and prolong life, but we have almost no meaningful investment in prevention and early intervention, that would save not only lives over the longer term but would also ensure that our future generations don't struggle as we are now with obesity and diabetes and high blood pressure, a lot of preventable issues that to me reflect a budget that doesn't get it, a government that doesn't get it, about thinking longer term and planning for the long-term future.

8:30

Taxes create a just, stable, and community-centred society where we share the gifts and we all benefit. The government's primary job, in my view, is to ensure that we create stability, social supports for people who need them, and an equitable society which helps people reach their maximum potential both in terms of their personal skills, attitudes, and values and also in their ability to contribute back to the public purse. It's a very short-term notion, a very narrow notion, that doesn't see the importance of a stable tax base to help us create a more equitable, healthy, and prosperous society in the end.

With stable funding we could ensure all of this. But, again, this government doesn't see that as its role. It sees its role as a banker, trying to minimize costs, trying to maximize short-term profits and to ensure that we actually expand only the areas where we have the greatest strengths instead of developing our weaknesses and areas that will be potentially and likely already are eroding the very fabric of this society and eroding our prosperity. It's only that

this government doesn't measure the impacts of high rates of homelessness and family violence that I've talked about.

We have, on the other hand, on this side of the House a strong commitment to the social fabric and to the community values that built this province. We believe in honest and upfront commitment through a taxation system that is fair and equitable and ensures stability for some of these essential services. We definitely want to see that those in our midst who need it are cared for. We also want to ensure that we are building on the future of a knowledge-based economy, not a resource-based economy, that we're building on new energy forms and diversifying our energy mix, that we're building on the highest standards of environmental protection in the world. Why shouldn't we expect that here, where we have the greatest minds and opportunities for science and the financial wherewithal to not only establish the best standards but to monitor and enforce those best standards? This is all part of the economy.

I see a very narrow focus in this Legislature, often on dollars as opposed to the broader range of resources – human resources, natural resources, and the knowledge resources – that actually contribute to an economy that we not only can be proud of but one that will sustain us into the future.

We still, unfortunately, have a budget roughly 30 per cent dependent on fossil fuels and, therefore, remain vulnerable to world prices. We cannot assume year after year after year that we are going to be able to draw on these nonrenewable resources.

As the Member for Edmonton-Riverview has so eloquently expressed in his book *Follow the Money*, we have now left so much on the table for these corporations that we are in the position of, again, tremendous weakness in terms of our ability to fund basic services that should be there for everyone. Seniors' care has been compromised. Child care is being compromised, with many people unable to get access to child care. Our most disabled struggled to have enough income until this year, when there was a generous increase in their monthly stipend. Until this year there were very, very straitened circumstances for our disabled. All of this because the government wants to take the largest pride in having the lowest tax structure in our history and in our country at great cost, as I say, to social and environmental standards.

We have, as I've indicated, on this side of the House clearly stated that what a responsible government will do is ensure that we tax appropriately to ensure that these services and supports are available and that standards are kept and met. It's one thing to have standards and then to not actually monitor those standards and enforce standards, which is why we now have a black eye internationally around our oil sector.

Postsecondary investments have not kept pace with what's really needed if we're serious about diversifying our economy and developing new technology, a knowledge-based economy around petrochemicals, around biotechnology, around information technology and new energies. As I've said, I don't see in this budget a strong commitment to a kind of a sustainable future that would allow us to move in that direction. On this side of the House we're pushing for those important investments.

Mr. Speaker, as you can tell, I won't be supporting this budget. I have to say that it's more of the same old same old from a government that touts itself as fiscal conservatives. I don't see the conservative here. I don't see the longer term thinking. I don't see a commitment to a new way of financial planning that would support the kind of values that I think Albertans want to see. We continue to look for leadership in this province, and I will be voting against this budget.

The Acting Speaker: Thank you.

Hon. members, Standing Order 29(2)(a) is available to question all of the tax dollars that are being left on the table. The hon. Member for Calgary-Glenmore.

Mr. Hinman: I'm just wondering. The hon. member talked about all of the tax dollars that are being left on the table. I have to apologize that I haven't read all of your plans, but how high do you feel these taxes should go in order to get the best value for, I guess, industry's work here in the province? Where should tax levels be moved to, personal and corporate?

The Acting Speaker: The hon. Member for Calgary-Mountain View to respond.

Dr. Swann: Well, thank you. Thank you for that question. I guess in brief what we want to see is an assessment of what our expenses are, what our essential services are, and that our taxes reflect what we are going to guarantee to provide in this province for people and for an environmental protection system that actually will make us proud to leave this next generation what we have.

We've talked about that for individuals earning over a hundred thousand dollars, we would move to a 2 per cent increase on their income tax and a graduated scale up to 3 or 4 per cent after \$200,000 and over \$300,000. That would be more of a progressive tax in those areas. We've also talked about a 2 per cent increase in corporate tax for large corporations.

What that means to me is that we are simply alerting our population that we do not intend to ignore the elephant in the room, that taxes form the basis of a stable, functioning society. If we are not prepared to at least provide stable funding for health care, education, supports for people with disabilities, and ensure that we have something there for emergencies, then we are not acting as a responsible government.

Mr. Hinman: That's definitely an interesting perspective. I guess my question is that as the Liberals would point out that we're not being taxed enough, is there an ideal percentage? With corporate you say 2 per cent this year. Is it going to be 20 per cent in five years? Have you done any economic studies for where you feel that you can tax corporations? What I see very much is that as soon as we tax a corporation, they turn around and charge the people, and their profits come back. So is there a limit to where you feel, you know, corporate tax and personal tax should be? It's fine to start the incremental, but once you do that – and we've got a \$3.1 billion deficit here in our budget this year that continues to grow – how do you determine that? Is there an ideal tax rate that you're looking at for corporations and personal income tax that you want to get to?

The Acting Speaker: The hon. member.

Dr. Swann: Thanks, Mr. Speaker. Well, first of all, we have to look at our expenses. I think all of us on the opposition side of the House have recognized quite large numbers of expenses that we would like to see trimmed down. We have a bloated government that should be smaller. We have too many MLAs in the House. We have an experimental science, that's still evolving, in carbon capture and storage that has got way too much of the lion's share of our investment in climate change mitigation. So there are a number of areas where there is waste and there is inefficient spending, and that has to be addressed.

8:40

Quite apart from that, I don't have a target in mind for taxation. What I've said is what I stand by. What are the basic levels of

services that we intend to provide to all Albertans on an equitable basis, and what does that look like in terms of tax? The Member for Edmonton-Riverview's book *Follow the Money* indicates that we are leaving over twice as much on the table for the biggest corporations, many of them from outside the country, as all of the rest of the provinces in the country, which is about 12 per cent of GDP. As I recall, 10 to 12 per cent of GDP is in corporate profits. It's billions.

What we're saying is: let's look at that. Why are we so out of sync with the rest of the country in terms of how much corporate profit we're willing to give, when we have serious needs within this province and an unstable economic resource base for our essential services?

The Acting Speaker: Anyone else under 29(2)(a)?

Seeing no one, I'll recognize the hon. Member for Edmonton-Riverview to go next.

Dr. Taft: Thanks, Mr. Speaker. I appreciate the comments from the Member for Calgary-Mountain View. Before I go further, I have spoken at some length on the budget, on the Appropriation Act, when it was in committee.

I just want to say that I really appreciate that there are members of the public here and just give them a quick primer of what's going on here. We've already in about an hour moved a number of bills through third reading, which means they have become law, short of the government later on proclaiming them. You are about to witness tonight, I expect, something you probably won't see all that often, which is a decision to spend \$39.4 billion, which is certainly more than I will ever dream of spending. We are in the last stage of discussion on the debate on the budget bill, which covers the expenditure of \$39.4 billion. Really, there has been quite a lot of extensive debate, so it's winding down. You can probably feel that winding down occurring here. I just thought that might be of interest to you to see what's going on.

I wanted to get a couple of things on the record. What would it be, Mr. Speaker? Five or six weeks or something that the budget has been working its way through procedure? In that time news develops and factors develop, and one that's continued to develop, which I've raised here occasionally, is the dramatic shift in the supply of oil in North America. I've raised this in the Assembly before, that the very same technologies that brought a huge increase in the supply of natural gas and, therefore, a massive drop in the price of natural gas are also playing out in oil. The reason that's of such importance to the budget of Alberta is that a very significant portion – I can't pull it off the top of my head – of the Alberta government's budget depends on royalties from oil and gas. When those prices of oil and gas drop, the royalties drop and this provincial government is in trouble.

Mr. Speaker, this budget forecasts the price of oil staying quite firm and, in fact, forecasts significant increases in royalties from bitumen in particular. But what I've seen in recent weeks has actually caused me to be increasingly skeptical that that's going to play out. I'm thinking that perhaps just on Saturday there was an extensive article on this huge surge of oil production in the United States such that the United States is rapidly reducing the amount of oil that it imports. Lo and behold, the largest export of oil to the U.S. is not Saudi Arabia or Venezuela; it's Canada, essentially Alberta.

In fact, the term is getting floated around that the central plains region of the United States is becoming so productive – many of us will have heard of the Bakken oil field, for example, in North Dakota and other ones – that it's getting nicknamed Saudi America and that the day may arise when the United States

actually becomes a net exporter of oil. That has massive implications for Alberta.

In fact, this article just the other day was saying that it may well be a good thing that the Keystone pipeline did not get approved because if the Keystone pipeline gets built, it means we're just going to be tied into shipping our oil into a market that's flooded, and we'll be forced to take a terribly discounted price for our product. The suggestion was – and there's some merit to this – that the real priority for Alberta and Canada should be a pipeline to the west coast or perhaps a pipeline running east-west right across Canada.

My point here is that I'm concerned this budget is based on the smoke and mirrors that often blind governments in the lead-up to an election. The smoke and mirrors are the price of oil. I think there's a very real risk that the price of oil is going to drop, that royalties, therefore, will drop, and that this budget will not be viable, Mr. Speaker.

The Member for Calgary-Glenmore asked about taxes. It's very clear from the government's documents that Alberta's taxes could be raised I think it's \$10.7 billion more and still be tied with the next lowest province as having the lowest tax rates in Canada. It makes no sense, when we're running deficits, when we're curtailing programs, when we're jacking up tuition fees, and when we're draining the heritage fund, to be leaving \$11 billion a year on the table, a significant portion of which leaves Alberta. It goes to investors on Wall Street or in Houston or London or Shanghai. It makes no sense. We own this resource. We should get the best price possible for it. If we did that, the fiscal challenges of this province would be immediately resolved.

I want to make one other point. This is not particularly a position of the Liberal caucus, but it's certainly my reading of the literature that tax rates, while they're easy political targets, are vastly overrated in terms of their economic impact. Taxes are the price of civilization. If you want to go to a low-tax jurisdiction, I say: "Go to Somalia. Go to Haiti. Go to Afghanistan. That's what happens when you don't have a functioning tax system." On the other hand, if you go to, let's say, New York City, Mr. Speaker, an exciting place to go, one of the absolute capitals of global capitalism, you know what? Taxes in New York City are way higher than in Edmonton or Calgary. But I can't think of a single corporate headquarters that's relocated from New York City to Edmonton or Calgary. It's because tax rates are not particularly high on the list of factors that corporations take into consideration when they decide where to locate.

Alberta should have competitive taxes, but there's no point in being in a race to the bottom because we just bankrupt our future when we do that.

With those comments, Mr. Speaker, I will inform the Assembly that, like the Member for Calgary-Mountain View, I can't support this budget. I don't think it's terribly credible. I think it's misguided on several fundamental aspects, and really I'd like them to start all over again on it.

Thank you.

The Acting Speaker: Thank you.

Hon. members, 29(2)(a) is available. The hon. Member for Calgary-Glenmore.

Mr. Hinman: Yeah. To the hon. member. I don't have the numbers with me right here, but I believe that corporate tax at this point – is it \$4.5 billion that the province brings in in revenue right now? If you're talking about \$10.1 billion left on the table, I assume that was corporate tax.

Dr. Taft: That's all taxes.

Mr. Hinman: Okay. Well, I didn't understand that. Again, to do that Liberal simple math, 2 per cent isn't going to produce \$10.1 billion. If you could clarify where your goal is to capture that \$10.1 billion, I would appreciate that.

8:50

The Acting Speaker: The hon. member to respond?

Dr. Taft: Sure, Mr. Speaker. The \$10.7 billion, actually, this year and the \$11 billion last year are the sum totals according to the government's own records – you've been in the Assembly when you've heard the Treasurer give his speech – that taxes in Alberta could be raised and still be tied with the next-lowest province, which, I believe, is B.C., for its tax take. That includes sales tax. We are not advocating a sales tax. That includes personal income tax. It includes corporate tax and so on.

There's a whole mix here of ways to increase revenues. The Member for Calgary-Mountain View made it clear that we're the only party, the only caucus that's come forward and actually said that we need to return to a progressive income tax, which every other province has and I think every single state in the United States has. [interjection] No? Okay. Well, most do, anyway. I'm not sure which one doesn't.

An Hon. Member: Utah.

Dr. Taft: Okay. Utah, then. There may be one state that has a flat tax.

In any case, we would return to a progressive income tax, as the Member for Calgary-Mountain View has pointed out, and to a higher rate of corporate income tax.

With the kinds of silliness that are under our current tax system because our corporate taxes here are lower than in the United States – combined federal and provincial corporate taxes are significantly lower in Alberta than they are in the United States – when an American-owned company working in Alberta earns income here and doesn't pay the same level of tax as they would in the United States, when those profits are repatriated to the parent corporation in the United States, the difference in tax is collected by the U.S. government, collected by Washington. We give a tax break to Imperial Oil, and those profits flow through to Exxon. They are really collected by Washington. For Conoco-Phillips and all the many, many American companies operating in Alberta, when they pay lower taxes here than in the U.S., the U.S. law is very clear. The difference will be collected by Washington.

When we're draining our heritage fund, when we're jacking up tuition fees, when we're running deficits and giving a tax break to Washington, I think that makes no sense, Mr. Speaker, and I for one as an Albertan would like to see that brought to an end.

The Acting Speaker: Thank you.

Anyone else under section 29(2)(a)?

If not, are there any other speakers at third reading to Bill 7?

Is there somebody closing debate here on behalf of the Deputy Premier and President of the Treasury Board?

Hon. Members: Question.

The Acting Speaker: If not, the question has been called.

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

[Several members rose calling for a division. The division bell was rung at 8:53 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mr. Zwozdesky in the chair]

For the motion:

Amery	Groeneveld	Lukaszuk
Benito	Hancock	Pastoor
Berger	Hayden	Rodney
Brown	Horne	Rogers
Denis	Jablonski	Sarich
Drysdale	Johnston	Tarchuk
Fawcett	Klimchuk	Vandermeer
Goudreau	Leskiw	

Against the motion:

Anderson	Hinman	Swann
Boutilier	Mason	Taft
Forsyth		

Totals: For – 23 Against – 7

[Motion carried; Bill 7 read a third time]

Government Bills and Orders Committee of the Whole

[Mr. Zwozdesky in the chair]

Bill 2 Education Act

The Deputy Chair: Are there any speakers at this time? The hon. Member for Airdrie-Chestermere on Bill 2.

Mr. Anderson: Yes, on Bill 2. Thank you, Mr. Chair. I'm grateful to have this opportunity to talk about Bill 2 and to debate Bill 2, the Education Act.

Dr. Brown: Some new observations.

Mr. Anderson: A few observations. [interjections]

Chair's Ruling Decorum

The Deputy Chair: Hon. members, I wonder if we could start this part of the debate in the proper form with observance of decorum of the House. That would be just wonderful. The hon. Member for Airdrie-Chestermere has been recognized, and he actually has the floor, so he should be the only one speaking. Others who have conversations to carry on: I invite you carry them on in the coffee room.

Please proceed, hon. member.

Mr. Anderson: Exactly. When that hon. member heckles me, it throws me off. I'm not used to it. He doesn't do it very much.

Debate Continued

Mr. Anderson: Anyway, I'm grateful to have the opportunity to speak to Bill 2, the Education Act. Particularly, I think tonight's debate is going to focus primarily on the issue of parental rights in education. I had the opportunity yesterday to witness and participate in a rally on the steps of the Legislature. The Minister of Education was there. The Member for Calgary-North West was there. Calgary-Glenmore was there. I was there, and also the Member for Calgary-Mackay was there. The Member for Fort McMurray-Wood Buffalo, and of course Danielle Smith, the

leader of the Wildrose, were all there in attendance. Were you there, too? Calgary-Fish Creek was there, too, I guess.

Mrs. Forsyth: Freezing our butts off.

Mr. Anderson: It was very cold. It was a very cold day, but it was made warm by the spirit and passion of the over 2,000 protesters, Albertans. I don't even want to call them protesters. Albertans.

An Hon. Member: It was not that big.

Mr. Anderson: It was well over 2,000. They kept a count because, you see, it wasn't actually just home-schoolers, hon. member. There were lots of Catholic parents and Catholic students. There were some Catholic trustees there from the Catholic school boards. There were lots of independent, faith-based schools there. There were, obviously, lots of home-schooling families there. There were even a few signs, I noticed, that said that they were public school students against Bill 2. So it was a very diverse group.

9:10

There were also different backgrounds. There were some from different faith backgrounds. There was, obviously, a large contingent there with a Christian background, but there were also some, I noticed interviewed on the news, who were holding signs as well that were not of that background and were just there protesting against Bill 2 and its infringement on parental rights. These were just self-described libertarians. They weren't there for any other reason but that they had students in home-school, and they didn't appreciate Bill 2 and what it did with parental rights.

The first one we went to, which was about a week before that, the Minister of Education came as well to that, and a week or two before that. The paper said about 350, 400; it was much larger than that. It was probably close to 600, 700. But this last go-round was a huge, huge audience, certainly well over 2,000. They actually signed people in as they came in order to verify that because sometimes the media doesn't really give credit where credit is due on the size of these crowds. In fact, many of the reporters that were there remarked that it was the largest rally they had been to at the Legislature. Now, granted, I'm not sure that some of those reporters were there in 1993. There were some big crowds back then. But it was certainly a large crowd and a boisterous crowd yet a very respectful crowd. They were passionate to be there, and I thought they were very respectful.

I do give credit to the Minister of Education, who did show up and speak. It wasn't a very warm reception for him, but he did speak, and you have to give one credit for standing and facing people that disagree with him on issues.

What was this group passionate about? Well, I had the opportunity to ask them. I said: who here loves liberty? And the crowd very clearly made the point that they were there. They were a crowd that loved the concept of liberty, of freedom of speech, freedom of assembly, freedom of religion, freedom of conscience: all these freedoms that we take for granted sometimes in our society. These folks were very passionate about it, and they cheered at even the mention of those freedoms. They were so excited about it. These were patriots that were there, Canadian patriots and Alberta patriots, people that care so deeply about this province and this country and about the freedoms that they enjoy in this province and this country. That was very evident in the group there.

It's important that we don't minimize those folks throughout this debate. These were Albertans that were there of their own free will, standing there in rather cold temperatures for about an hour or a little more than an hour. So some of the members here were

mentioning earlier that maybe the crowds weren't that big. That's a real disservice to the passion and devotion of these folks. Lots of questions from all kinds of members on all sides are just passionate. I know there are going to be a lot of speeches here tonight from these folks here.

Why were they there? Bill 2 has some good things in it. There's no doubt about that, and I've noted them. I like the extensions of the charter schools, allowing charter schools to be more permanent fixtures. Allowing more of them, I hope. These are things that we very much support.

People often forget this. Charter schools are public schools. They're publicly funded. There's no tuition. They're open enrolment. In other words, you have to get on a waiting list and wait your turn in order. You have to agree to the charter, obviously. If the charter is, you know, science or whatever, you have to agree that you're going to be okay with taking that charter on or having your child go to that charter. If it's more behavioural, like you're going to wear a uniform or something like that, you have to sign on to agree to that because some charter schools like to have structure, and they think children learn better in a structured environment and so forth. But they are public schools. We do very much appreciate these charter schools because they provide a very good piece of choice and competition in our schooling system, in our Alberta education system. So there are things in Bill 2 that we do agree with, and that's just one of several.

But there are some very severe problems. We saw this earlier on in debate on Bill 2 when we brought forth amendments to enshrine in the preamble the idea that the rights of parents are paramount when deciding the educational choices for their children and what kind of education their children are going to receive. We put a subamendment on the floor to a government amendment to make sure that that was clear.

It's not good enough to just say that someone has a right. See, there are rights to lots of things. There are lots of rights out there. Some are fundamental rights. Some are just rights that are given to us because the government gives us permission; for example, the right to drive. Well, that right to drive exists because the government sets rules, parameters, licences, and so forth, and you have a right to drive unless you break the rules. Then you get your licence taken away. You get tickets, et cetera, et cetera, et cetera. So there are lots of rights out there.

There are also lots of competing rights out there, and we see this in the courts all the time when you get into constitutional issues, where you have competing Charter rights, where you have to find that balance between, say, the freedom of equality and the freedom of religion or the freedom of speech and the freedom of assembly. There are all kinds of competing rights, and the courts have to find a way to balance those rights.

In just saying, as the government has put forward in one of their amendments, that parents have a right to decide what the educational choices will be for their children and so forth, in and of itself, especially being in the preamble where it's really of no force and effect, it's not really binding in any way. It's kind of just window dressing. That's why we brought a subamendment to say: "No, no. When it comes to competing rights, parents have the paramount right and responsibility over deciding what education they will have their children given and taught." That is something that we felt passionate about, and we brought in amendments on that.

Now, amazingly, the government refused to pass that amendment. They wanted to just give a right. They wanted to recognize a right, but they didn't want to give parents a paramount right. They weren't comfortable with that, so they voted against it for several reasons.

Then the next day in the *Calgary Herald* it was quoted that, in fact, with the amendment that they had passed the night before – and I heard this on a radio talk show as well – they had given parents a paramount right to choose the education for their children, which was exactly what they voted against the night before. They voted against that exact language, yet they were out the next day saying: well, we passed an amendment that makes it so that parents are recognized as having paramount rights over their child's education. Not true. They voted against that. It was a standing vote on the record of voting against that exact language, so it was very disingenuous.

Again, I give credit, you know, to the Liberals and the NDP. They certainly voted against our amendment as well, but at least they were truthful about it. They said, "Yeah, we voted against it; this is why, and we're proud of that" whereas the PCs voted against it and then went to the media the next day saying: "We voted for it. In fact, it was our idea." In fact, it wasn't their idea in the first place, and they voted against it. So this is the kind of disingenuous behaviour that is becoming commonplace with this government.

We're going to have to discuss the paramountcy of parental rights, and we will. We've got an amendment to that effect. However, before we get to that amendment, there is another amendment – and we're going to talk about that right away here – and that revolves around section 16 of this bill, Bill 2. This is a real sticking point because this is really what the rally was about.

9:20

Section 16 says:

All courses or programs of study offered and instructional materials used in a school must reflect the diverse nature and heritage of society in Alberta, promote understanding and respect for others and honour and respect the Canadian Charter of Rights and Freedoms and the Alberta Human Rights Act.

Well, that sounds great, doesn't it? The only problem is those last six words. You see the signs in the audience: just change six words. And what were those six words that they were talking about? If the folks up in the gallery could speak, which they're not allowed to, I bet you they could repeat those words verbatim, but I'll repeat them for you. The last six words: "and the Alberta Human Rights Act."

Over the last decade or so there has been no larger violator of human rights in the province of Alberta than the human rights tribunal in the name of this Human Rights Act, no greater infringer on freedom of religion, freedom of expression, free speech, freedom of conscience. This Alberta human right tribunal is one of the most widely criticized, one of the most roundly criticized, by folks from right across the spectrum, as being, frankly, completely out of touch with the realities of the Charter of Rights and Freedoms and so forth. It has been a travesty. We'll go through some of those examples.

For people that are home-schoolers and private schoolers and Catholic schoolers, this really is a problem for them because it mandates, essentially, that all course or programs, instructional materials, et cetera, have to reflect, et cetera, et cetera, et cetera, the values taught in the Human Rights Act. As interpreted by whom? Lots of good stuff in the Human Rights Act, but who's interpreting the Human Rights Act? A lot of folks have severe problems with that for many reasons. It's not just one issue, one thing. It's a whole range of issues from, like I said, free speech to freedom of religion, freedom of conscience, et cetera.

Mr. Chair, without further ado, I'm going to introduce an amendment to Bill 2, section 16.

The Deputy Chair: Hon. member, if you would please provide those to the page, as I see you are doing, and retain one copy for yourself. As it's being distributed, if you wish to read it into the record, that will move things along.

Mr. Anderson: Sure. I move that Bill 2, the Education Act, be amended by striking out section 16 and substituting the following:

Respect

16 Education programs offered and instructional materials used in schools must not promote or foster doctrines of racial or ethnic superiority or persecution, religious intolerance or persecution, social change through violent action or disobedience of laws.

The Deputy Chair: Thank you very much, hon. member. I'm assuming everybody has a copy now. Not yet? Okay. We'll just give them a couple of seconds more here.

All right. Hon. member, if you wish to proceed with this amendment, which will be numbered A6.

Mr. Anderson: This amendment: what does it do? Well, it changes, as I said, section 16, strikes out the entirety of section 16, and replaces it with something else. You will recognize the language here because it's the language of the current parallel section that's in the old act, the second subsection from it:

3(1) All education programs offered and instructional materials used in schools . . .

(2) . . . must not promote or foster doctrines of racial or ethnic superiority or persecution, religious intolerance or persecution, social change through violent action or disobedience of laws.

Mr. Chair, there's this old adage, and it's such a good piece of advice, especially for this government over the last several years when you think of the royalty framework, when you think of property rights, when you think of the whole swath of issues that have just absolutely brought this government to the brink, to where they may not be the government again after 41 years. Here's the adage, the useful advice that someone should have told somebody four or five years ago: if it ain't broke, don't fix it. If it ain't broke, don't fix it.

The School Act in this area was not broken. It was fine. It was a good balance. The language used here:

3(1) All education programs offered and instructional materials used in schools . . .

(2) . . . must not promote or foster doctrines of racial or ethnic superiority or persecution, religious intolerance or persecution, social change through violent action or disobedience of laws.

We have used this for years and years and years and years, and it has been very successful in promoting diversity and respect.

What does the government do? They take this obscure section in the act, which no one was complaining about – it was fine – and they have decided that they are going to change it. What do they do?

All courses or programs of study offered and instructional materials used in a school must reflect the diverse nature and heritage of society in Alberta, promote understanding and respect for others and honour and respect the Canadian Charter of Rights and Freedoms and the Alberta Human Rights Act.

People are very worried about those last six words. Now, I would be open to any kind of subamendment or other amendments that other members might bring with regard to just getting rid of those last six words, but I take a more kind of common-sense approach. Why fix something that wasn't broken? What's the point? Why do it?

[Mr. Cao in the chair]

What are people concerned about? Well, they're concerned about a few things. In section 29, I believe it is, of the same act we look at private schools. Some of them are faith-based schools. Most of them are nonprofit. We have a great faith-based school in our constituency. It's a different faith from my own, but it's a phenomenal – phenomenal – faith-based school.

The Chair: Your 20 minutes are up, hon. member.

The hon. Member for Calgary-Fish Creek on amendment A6.

Mrs. Forsyth: Thank you, Mr. Chair. I am grateful to talk about something that is important to me and many Albertans, and that's the importance of parents. It may seem obvious that parents are important to Albertans, but that's why I stand here today discussing amendment A6.

It's not clear to me and concerned parents about the place of parents in our education system. Traditionally we have always respected the fact that the most important and influential educators of children are their parents. It seems unquestionable to me, but that is why we've seen hundreds of families protesting at the Legislature. You know what, Mr. Chair? Someone is questioning their authority over their children.

Parents are the greatest source of stability in a child's life. Mom and dad are like water and sunshine to a growing plant. When there is plenty, the plant thrives, and it grows like an unstoppable force. Cut off the plant from the water and sunshine, and you get something that not only ceases to grow, but it withers away.

Parents that home-school their kids are showing a supreme commitment to their kids. These parents are upset with the preamble of the Education Act because it interferes in what they can teach their children. The preamble speaks to how important parents are, but you know what, Mr. Chair? It seems like lip service. When it comes to people's children, they do not respect lip service. They respect action. But that failed, so we're now trying with this amendment.

9:30

The amendment proposed by the Member for Airdrie-Chestermere, A6, was important on its own but especially in light of section 16 because section 16 puts the lessons of home-schooling parents – Christian parents, Catholic parents, parents in general – at the mercy of the human rights tribunals. The amendment does make the situation clearer, that parents are the ultimate authority in a child's life, especially when it comes to their education. It is clear that it is a parent's right to teach morality, beliefs, and their sense of right and wrong.

Quite frankly, Mr. Chairman, I'm confused. A parent that home-schools or takes time to find a specific school for the kid proves to me how much they care. So why are we undermining devoted parents? As the minister of children and youth services I spent a lot of time consulting those with addictions. The last thing you ever want to do is undermine people that care. Section 16 undermines the authority of parents, and it undermines the authority of people that care.

Something that my parents taught me was to keep things simple. All too often these days government keeps creating more and more laws and more and more regulations and checklists that bog us down and complicate things. Now, I've heard in this House how out of date the old School Act was. It seems like the government is throwing the baby out with the bathwater.

There was a lot of good legislation in the old act, and there's no question that there's a lot of good legislation in the new act. I can refer to several pieces in the new act, and I like to remind the government that the bullying section that they have in the old act

was actually my bullying bill, that they have now incorporated into the new act. At the time that I brought the bullying bill forward, many members of the government defeated it and spoke against it in this Legislature.

Parents that home-school or send their kids to independent schools are worried about the new diversity language in the new Education Act. The old language was clear: don't promote racial or ethnic superiority or persecution or religious intolerance or social change through violent action or disobedience of laws. As long as parents met these guidelines, they were free to teach their children as they saw fit. You know what? We didn't have any problems.

The new language scares parents because it drags in the Human Rights Commission. Quite frankly, the behaviour of the Human Rights Commission in this province and across Canada has been discredited. It has been used to censor people's freedom of speech that has offended some people. No hatred promoted, just opinions that have ruffled feathers, and no one ever was hurt physically, but people were dragged through the commissions, which aren't even real courts of law. To me, Mr. Chair, these issues clearly show a difference between the government and my caucus on education and parents.

Mr. Chair, I believe in the grassroots, that the people are where we draw our power and where we draw our guidance. Parents are the foundation of education, and Albertans are the foundation of what makes this great province. I don't think that there is that belief on the other side of the House. I believe that the belief is that the governing party and the government in general are the driving forces in this province.

Top-down ordering is how this government operates. If they get it wrong, then they consult. I wonder: what consultation was done with home-schoolers? What consultation was done with the Christian parents? What consultation was done with the Catholic parents? Was the consultation done with a few choice friends that nod their heads when the minister asks them questions? [interjections] You know, Mr. Chair, I love it – I love it – when we're debating a piece of legislation and . . .

The Chair: Hon. members, the hon. Member for Calgary-Fish Creek has the floor, and the procedure is to address the chair.

Mrs. Forsyth: The Minister of Education has the opportunity to stand up and speak in the Legislature. What the Minister of Education is doing is showing how disrespectful he is to the parents in this province, and quite frankly he's not showing a lot of leadership to the children in this province.

I do want for a moment to recognize the importance of teachers in Alberta. They work day in and day out to make sure that our kids have a great education. Alberta is the envy of the world in large part because of the wonderful teachers we have, but we cannot forget that parents are the moral compass. Morality comes from the home to the school, not the other way around. I hope that this government sees the light on this issue. We need to support the great parents that we have in this province, and they can't be taken for granted. We cannot assume. We all know what happens when we assume.

I urge the House to recognize the essential nature of mom and dad and the growth of their children and their education. We need to recognize that parents are paramount in educating their children.

I can't recall, to be honest with you, as a sitting member of this Legislature for a long time, quite frankly, the last time that I received so many e-mails, so many phone calls, so many letters in regard to an issue. I think the Member for Airdrie-Chestermere

brought it up as we spent many hours speaking in the Legislature. I think both of us have come to the conclusion that the last time that happened was with the royalty. We at that time received, I'm sure as you did, Mr. Chair, as a member of the government hundreds of letters. I have received letters, e-mails, phone calls, and I want to read one of those in the House if I can.

This letter was actually written to the Solicitor General and the Member for Airdrie-Chestermere. I know we can't read names, but I'm going to read this as per the letter, verbatim.

[Dear] Jonathan.

I am aware that the Education Minister has thrown a little "bone" to the people of Alberta, assuming that making a small change in the wording of the preamble of the bill will make everything "all better." We all know that the preamble is only words, an introduction, and has absolutely no legal force. The words of the bill itself are what is law. Regardless of what the Premier says to the media, or what any other Alberta PC politician states when you say it will be fine and not to worry, once the bill passes . . . it must be enforced. If the Alberta Government does not enforce it, as the Education Minister stated 2 weeks ago at a rally at the Alberta Legislature, then the Alberta Government in fact will be breaking the law! Can you please explain to me Jonathan what plan the Alberta Government has in place to manage/monitor all people of Alberta to ensure they are not breaking the law?

The reference to the Alberta Human Rights Act has absolutely no business in the Education Act. To my knowledge, no other Canadian province or American state makes such references in their Education Acts. It is my opinion the Premier of Alberta has enshrined it in this new bill as she is a Human Rights lawyer and feels it is her "right" as "the boss" to push her . . . personal agenda that will negatively affect the people of Alberta for decades to come. For this I am deeply saddened not only for my children or future grandchildren but for all citizens of Alberta. Why not remove 6 simple words from Section 16 of this bill? These 6 simple words are ". . . And the Alberta Human Rights Act . . ." Why is the Alberta Provincial Government digging its heels on such a simple solution?

Now, Mr. Chair, I know my time is limited, so I'm not sure how much time I have left.

The Chair: More than eight minutes.

9:40

Mrs. Forsyth: Eight minutes. Okay.

The Alberta Human Rights Commission and its tribunals have a proven Alberta history to be intolerant of Christians who speak according to their faith. It (the Alberta Human Rights Commission) is in itself a direct attack on all faiths because the beliefs of [all faiths] are different than those of the Alberta Human Rights Commission. Therefore, there's no protection whatsoever for homeschoolers or any faith based school with this new act – no religious freedom. It is also my belief Jonathan that as a lawyer yourself, and as the Solicitor General of Alberta, (and our MLA) that you would already know all of this.

The Chair: Hon. member, I just want to remind you that you cannot refer to hon. members by name directly or indirectly.

Mrs. Forsyth: All right. I'm sorry. I was going from a ruling that went on this afternoon in regard to the Minister of Education referring to the Member for Airdrie-Chestermere.

Mr. Anderson: What's good for the goose, right?

Mrs. Forsyth: What's good for the goose, Mr. Chair, is good for the gander. If you're going to be ruling that I cannot use some-

one's name, then I think you should have made the same ruling this afternoon when someone was quoting directly from . . .

The Chair: Hon. member, continue with the bill. You should not challenge the chair.

Mrs. Forsyth: I'm not challenging the chair, Mr. Chair. I'm trying to get clarification.

The Chair: Please, carry on with the bill.

Mrs. Forsyth:

I am here to plead with you [Solicitor General and Member for Calgary-Egmont or wherever you're from] to go against your party and vote no to the changes that have been proposed to date with the New Education Act. I know there is only one more reading of this bill and if it is not voted down, it will pass. If it passes then parental rights will have been taken away by the state and people of all faiths will no longer have freedom. Alberta's current motto of Strong and Free will need to be changed to something like Weak and Controlled. If this happens then we no longer live in a democracy in Alberta as the state now has the control. I can think of several countries I could effectively compare us to, none of which I . . . would care to live in!

Then it goes on to say to the Member for Calgary-Egmont:

You have stated to me in several emails and telephone conversations that you yourself are a Christian. You have also indicated that you have teachers in your family as well as homeschoolers. If this is the case then you must, in all good conscience, vote no to this Bill. How can you begin to look your family in the eye, tell them you are voting yes to this bill, and convince them it is best for everyone? If this bill passes, are you personally prepared to deal with the repercussions for your future children or grandchildren? Is this the legacy you want to leave in Alberta's history books once your political career is over?

As I have mentioned to you on several occasions, I am praying . . . for the . . . Provincial Government leaders to do what is right and just, for all citizens of Alberta, and for all of you to remember the . . . roots this province was built on.

Thank you [Member for Calgary-Egmont], for your time.

Sincerely,

and it's signed off.

Mr. Chair, that's just one of many. I could go on and on and on and read into the record e-mails we've gotten. I just want to read another one. Can I say Heather, or do I say the Member for Calgary-Fish Creek?

My husband, Ken asked me to forward to you [a] copy of a letter he sent to the *Calgary Herald* last evening. Whether it gets published or not, it reflects our very strong concern with the anti-religion, anti-family values intent of part of this legislation. Bringing the Human Rights Commission to police/enforce this act is bizarre, irrational and dangerous. It is a direct threat to silence and intimidate well meaning parents and schools who may object to what is being forced down children's throats by agenda driven bureaucrats and politicians. The costs and inherent unfairness of the [Human Rights Commission] process are enough to discourage all but the independently wealthy.

Then it goes on in the letter in regard to what my constituent wrote to the *Calgary Herald*. Mr. Chair, it goes on and on and on.

We've received a media release from the Alberta Catholic School Trustees' Association questioning Bill 2, the Education Act. There are just too many to even go through. I finally, quite frankly, have quit putting things in my binder because my binder is getting too heavy for me to carry because of all of the correspondence that we've had.

I'm going to end by saying this. When we started speaking on Bill 2, the Education minister made a comment in the Legislature – and it's in the records of *Hansard* – that: why would we as the Wildrose Party bring forward an amendment in regard to the preamble when we had 16 months of consultation? What I found absolutely mind boggling and hilarious was that we had been dealing with an amendment, A1, that the minister had tabled in the Legislature only a couple of days after he had tabled the legislation in regard to the preamble, and he's criticizing the Wildrose for bringing amendment A2 in regard to the preamble. He was quite forceful in his criticism to the Wildrose about all of the consultation that he had done.

Well, Mr. Chair, it's amazing to me, if the minister has done so much darned consultation on this bill, why we are hearing from the Catholic school parents, the Christian school parents, the home-schooler parents, the charter school parents, and parents in general that are very, very concerned in regard to where this Education Act is going in regard to the preamble and section 16.

With that, Mr. Chair, on behalf of the constituents of Calgary-Fish Creek and on behalf of the parents that at 10 to 10 are still sitting very patiently in the gallery listening to what's going on, thank you. We appreciate your time, we appreciate your dedication, and more importantly, we appreciate you as parents.

The Chair: The hon. Minister of Education.

Mr. Lukaszuk: Thank you, Mr. Chairman. It's a pleasure to rise and speak to the amendment. I, too, together with the Member for Calgary-Fish Creek, would like to thank the parents – and there are some young ones as well, children – who are in the gallery. That is good. It definitely shows ongoing commitment. Also, it's a good part of home-schooling being in the Legislature and seeing what happens, really, in democracy and how bills become laws.

Mr. Chairman, a couple of points just in response to the comments made by the hon. Member for Calgary-Fish Creek. The member is correct. When I stood up in the House and I indicated, "Why is it that the Wildrose opposition raises concerns now and not earlier," she is right that on that particular amendment they didn't have an opportunity to raise it earlier because it was just a freshly tabled amendment on the floor of the Legislature, so they couldn't possibly have had the time to research it and to raise issues with it.

Maybe I didn't make myself clear enough, so I will now for certain. What I meant to say is that I meant on this bill overall. My predecessor, who is now the Minister of Human Services, who was then the Minister of Education, properly tabled this bill on the floor of this Legislature – help me with the time – some 18 months ago, about a year and a half ago.

The minister was quite well known at that time for having a very robust consultation. There was Inspiring Education and transforming education, and there was consultation on the bill, and then the bill was tabled in the Legislature for all members of this Chamber to review. I certainly hope that every member reads every bill because if they don't, I hope that they don't debate the bills they haven't read. So I assume that every member of this Chamber has read Bill 18. I certainly know that all stakeholders, school board associations, and others have read Bill 18.

9:50

A new opportunity came. There was a switch in cabinet. As a new minister I wanted to satisfy myself because I firmly believe that the Education Act is one of the most principled pieces of legislation that a province could ever pass. It truly is a piece of

legislation that shapes the future of this province. It's about kids and how we educate them and how they will be leading this province into the future. So I thought that perhaps it was an opportune time to take a bill, a draft bill, and give it back to Albertans outside of this Chamber and say: read it again and tell me if anything is missing in the bill, if anything should be added or changed or omitted so that when we retable that bill in the Legislature, we know that we did our homework. The last School Act was passed in 1988. It lasted us over 20 years. Odds are that this bill will be in power for some 20 years. I just want to make sure that I get it right.

We ended up having town hall consultation meetings and not by invitation; anybody could attend. We ended up having telephone conference meetings; literally over a thousand parents called in. We ended up having a mail campaign; we received thousands of letters. And then, if that wasn't enough, I sent a letter to every single child in every classroom in Alberta asking them, with teachers and parents, to write me back and tell me what they would like to see in this legislation to make sure we covered all bases. By the way, I have received over 7,000 written or drawn responses from children from all over the province, and there are some real golden nuggets in that.

It was to the point where – and I'm not sure from what political affiliations – I was actually criticized on the record for over-consulting on this bill. There are political accusations that I'm using this for electoral purposes and that we're having I believe it's a dog and pony show is the term being used. You know: "Stop shopping this bill around. You're consulting it to death. It's costing people money." There were questions in the House asking how much money it cost to consult the bill so much. I can pull *Hansard*. There was a concern that I'm actually . . .

Mr. Hinman: Good question. How much?

Mr. Lukaszuk: Well, there you go. There is the question: how much did I spend on consultation? Because apparently we spent too much money on consulting on this bill.

Mr. Hinman: I didn't say too much; I said how much.

Mr. Lukaszuk: I don't know, hon. Member for Calgary-Glenmore. I will find out how much it cost.

Consulting on the education bill is the right thing to do. Throughout this entire process, for 18 months, as this bill was consulted with everybody, not one letter, not one memo, not one visit to the office, not one communication of any sort, neither to my predecessor nor to myself, from that particular caucus on this bill. No criticism or no constructive suggestions on what should be changed or how to amend this bill. Nothing. So as far as I'm concerned, the bill has met the standards of that particular caucus. That is why, hon. member, I was so shocked to find out that at the final line – it was in second reading – all of a sudden we have a whole array of amendments. Where were they before? It could have been done, but where were they before?

Mr. Chairman, the picture will be painted that the whole world is against this bill, and I can tell you that it is not. This bill is for roughly 600,000 children in our classrooms. This bill is probably the most innovative piece of education legislation that this country will have seen ever. It is a very progressive bill. It deals with bullying. It allows kids to earn credits in universities while in high school. It gives extra powers to parents so they can sit on parent councils. It formalizes students' unions and associations so that they can direct the minister on future policy changes. The list goes on and on and on.

Bullying, frankly, to me personally is one of the most important ones because it's something we need to eradicate throughout school boards.

Mr. Hinman: You use it best.

Mr. Lukaszuk: Hon. Member for Calgary-Glenmore, I won't even honour your comments with a response.

Mr. Hinman: You have no honour, so that's okay.

Mr. Lukaszuk: Mr. Chairman, I should call a point of order at this man suggesting that I have no honour, but I will just ignore him, and I will carry on.

Mr. Hinman: You're disgusting.

Mr. Lukaszuk: And that I'm disgusting. But I will also ignore that as well.

The Chair: Hon. member, the minister has the floor.

Mr. Lukaszuk: This is the kind of rhetoric that we've been dealing with, Mr. Chairman, in this Legislature for the last few days, so don't even worry. It doesn't faze me. That's how they want to conduct themselves on *Hansard*, on the record.

Point of Order Inflammatory Language

Mr. Hinman: I'll give a point of order under 23(h), (i), (j). He's saying things that are inflammatory, that aren't correct, and he's trying to cause disruption of the Assembly with the things that he's saying. He's the one who's starting it. If he wants to talk the truth, speak the truth. But for him to get up and say that we haven't given anything when this bill didn't come out – Bill 2 is not Bill 18, and because they had Bill 18 around for 18 months doesn't mean that they went around for 18 months on Bill 2. It just came forward here. How long ago, Minister? Let's put some facts on the table. You're being disruptive; you're being misleading. You should call him to a point of order.

The Chair: Hon. member, point of clarification.

Mr. Lukaszuk: I didn't hear a citation. It's odd. You know, the member calls me . . . [interjection] I'm speaking to a bill, Mr. Chairman. I'm trying to focus. The member calls me awful names in the meantime, and somehow I'm causing a disturbance? Let it be. I want to focus on this. This is more important.

The Chair: Hon. minister, the member is upset about that point of order. Continue on with the bill.

Mr. Lukaszuk: That's fine.

Debate Continued

Mr. Lukaszuk: It should be mentioned, Mr. Chairman, that bills 18 and 2 are one and the same. It's the same bill reintroduced. The only reason that the number changed, as you well know, is that every time we reintroduce a bill, it loses its placement order, and it just simply receives a different number. It's the same bill with a different number on the cover. But that's fine if they want to argue that.

I want to tell you, Mr. Chairman, what other Albertans say about this bill. The Alberta School Councils' Association is an association that conglomerates the majority of our independent

Christian schools. I want to read a letter to you signed by Marilyn Sheptycki, president of this council, addressed to myself, that says:

Dear Minister Lukaszuk,

I am writing to you in support of Bill 2, the Education Act.

Over the past three years, Albertans have had many opportunities to engage in discussions on shaping the future of education in our province. Bill 2 captures and distills those many conversations and reflects the thoughts and ideas of all who participated in the consultations.

Bill 2 represents the legislative framework Albertans believe is needed, to not only maintain our province's world class education system, but to provide even greater opportunities for student learning.

The Alberta School Councils' Association encourages all Members of the Legislative Assembly to view Bill 2 as a good, solid piece of legislation, one which reflects the collective wisdom of Albertans. It will serve all the students of Alberta well today, and in the future.

Sincerely

Marilyn Sheptycki, President

The Alberta School Boards Association, Mr. Chairman, a body that represents many, many, many school boards and hundreds of thousands of students in our schools, put out a media availability, and it says:

ASBA Urges Passage of Bill 2 Education Act

Bill 2 Education Act is a good piece of legislation that should be passed before the Legislative Assembly adjourns, says ASBA Vice-President Cheryl Smith.

"For two years, the government engaged in extensive consultation with all education partners including parents about how education in this province should go forward. We believe the Act should be passed because it reflects this input and replaces legislation that no longer meets our needs," said Smith.

And then there's contact information for the Alberta School Boards Association.

Mr. Chairman, the Public School Boards' Association also put out a news release saying:

The Public School Boards' Association of Alberta . . . was pleased to see Bill 2 introduced in February 2012. We were the first Association to ask for the following provisions:

- Natural Person Powers, Establishment of Separate School Districts, Trustee Eligibility and Inclusiveness as a Core Value.

We are very pleased to see those provisions within Bill 2.

They go on to say what a good piece of legislation, how reflective, it is. Then it says:

The PSBAA is the only Association in Alberta that advocates exclusively for the interests of Boards offering a Public School Education and the students attending Alberta's Public Schools. When our Association speaks, we represent the voices of over 228,000 children attending Public Schools.

Mr. Chairman, if that's not enough, I will read you a letter from the Alberta Teachers' Association that, again, calls for "inclusive comprehensive public education." In their statement and press release – I won't read it because it's actually quite lengthy – they are asking for immediate passage of Bill 2 because it is good for all children in the province of Alberta.

Mr. Chairman, I don't question why the members do what they do, and I definitely have a great deal of respect for parents who fear that in some way their educational choices and their ability to teach or not teach certain concepts may be compromised. I have satisfied myself not only through analyzing the legislation but actually outsourcing it to individuals much brighter than me in the matters of law that there is nothing in the act that in any way will affect parents who choose to home-school their children or, frankly, any type of religious education.

10:00

As I said, Mr. Chairman, it's rather ironic. As I was speaking with somebody earlier today, I said that I have a pretty boring routine every morning. First thing in the morning I drop off my older daughter at a Catholic school, where I sit on a parent council, and then I drop off my younger three-year-old daughter at a daycare in a Catholic convent, in a nunnery, where she's taken care of by Catholic nuns. I don't know how many members in this Chamber actually have the opportunity of engaging where religion blends with education. That is a choice that I'm making, and I'll tell you, I would be furious if somebody was to tell me that I cannot exercise both of those options because they're very important to me and to my family.

Also, when my children come home from school, I teach them what is right and what is wrong. Every parent does that in the province of Alberta. My wife and I tell them what we believe is right, what is a sin, what isn't a sin, what is wrong, how to treat your neighbour, how to play with other kids, what is morally acceptable, and what isn't. That is not the role of teachers. That is not the role of the education system. That is not the role of strangers.

Teachers, as well intentioned as they are, are trained to teach curriculum. They're not trained to teach morality. They may tell kids how to engage with each other in school and what's the proper behaviour and code of conduct, but they're not there to teach morality. That is something that comes from the home, and that has been understood in this province for over a hundred years now. That is something that will remain.

I don't think that there's a member on any side of this House that would argue with the fact that what a parent believes is right for a child the parent has the right to teach. There is no role for state, for government, for legislation, for commissions, for quasi-judicial bodies, or for anybody to step into our house. Even if somebody disagrees – because, frankly, it is very possible that I may be disagreeing with what my neighbour is teaching his or her kids relevant to what is right and what is wrong, but that's none of my business. That's their castle, and they get to make the rules. They get to teach their kids what is appropriate for their family values, cultural values, religious values, and the list goes on and on.

Mr. Chairman, I regret that some feel threatened. It's an awful feeling to honestly believe that you may lose something that you hold so dearly. I feel terrible that I'm somehow perceived *de facto* as an instrument of bringing that fear upon that group. I'm not sure what it is that I can say to reassure this group that it isn't the case.

The fact is that it's rather disingenuous to say that if I was to remove references to certain pieces of legislation, then that legislation wouldn't apply. We all know in this Chamber that there are such pieces of legislation that are known as overarching pieces of legislation, whether we make references to them or not. They do apply to formalized schooling, but our homes and our teaching of children are exempt from that. As parents even in formalized schooling, if we choose to exempt children from certain courses, we can.

Let's not all think that we all have the same values. As a matter of fact, Mr. Chairman, in my riding there is a small group, a small pocket of residents, who come from a non-Christian religious background who strongly feel that their children should not be exposed to music, any kind of music. You know, in regular schools learning your ABCs usually is done through music. That's part of the pedagogy of teaching children. That's how children often learn. Well, this particular group of individuals strongly feels that music is something that neither children nor adults should be exposed to, and our schools accommodate that.

We respect choices, not only choices that are based on Christianity and many of the common values that most of us share, but we accommodate the choices of other faiths, of other religions because we are a pluralistic society and that's what we do. So parents get to remove those children from classes where they are exposed to music or teachers accommodate, where they can, because that's what Alberta education is based on. It's based on choice.

That is why – and sometimes we're criticized by others – we offer this wide array of choice: private school, public school, charter school, Catholic school, or home educational program. There's also a reason, Mr. Chairman, why we made a deliberate effort in the act to refer to others as schools, but we refer to educational programs as programs because we know that home is not a school. None of the regulations that pertain to school buildings pertain to homes, nor should they.

We also acknowledge the fact that when you're home-schooling a child, there is no regimented schedule. Kids don't wake up at home in the morning, jump out of their pyjamas, and study from 9 o'clock till 3 o'clock, and then the rest is family time. Kids learn from the moment that they wake up to the moment that they go to sleep. When the family travels in a family van to pick up groceries, they use that trip as part of education. That's part of home education.

So it is obvious that if one even tried to implement any type of legislation, it would be impossible because how would you ever know whether the child is actually learning right now or whether this is part of family discussion, like you are having with your children and I am having with my children at home when we're not home-schooling?

Mr. Chairman, I wanted to reassure not only those here in the gallery that it is unfortunate that this matter has been elevated to the status that it has, that emotions and fears have been elicited. It is sad because I know for a fact in my heart that if and when this bill passes, home-schooling families will wake up the next morning, and life will be just the same. They will be teaching them what they always have. They will choose not to teach them what they always have. Sins will remain sins, not-sins will remain not-sins, and the government of Alberta will keep its paws far away from anybody's home.

Mr. Chairman, I thank you for this time. I hope that we will be able to engage in a debate that is fact based, not emotion based, and that we will manage to keep the decorum of this House at the level that we're enjoying, actually, right now.

Thank you.

The Chair: The hon. Member for Edmonton-Riverview on amendment A6.

Dr. Taft: On the amendment, yes. Thank you, Mr. Chairman. It's an interesting discussion. I've been looking at the amendment.

I must reflect, though, a little bit on the comments from the minister that we just heard at some length. I will say that it takes some doing as a member of the opposition to feel sympathy for the position of the minister, but I've got to be honest, Member for Calgary-Glenmore. I heard the minister speaking calmly, trying to address the issues. I didn't think your calling a point of order was at all appropriate, if I may get that on the record. It just seemed – I don't where it came from, but it concerns me.

I also want to say, Mr. Chairman, that I may have been one of those who said, or at least thought, that perhaps the government was almost overconsulting in developing this act. I certainly thought and I may have said that the consultation that went into

the Education Act was a model that I'd like to see more government legislation follow.

Very often we get bills dropped on us. Gee, last fall we got the one on driving under an alcohol influence of .05. We get lots of bills dropped on us very, very suddenly. Last fall I think there were three bills pushed through in two weeks. So having a piece of legislation brought to the floor of the Assembly after being developed and then tabled and left after first reading for broad reaction for I think it is 18 months is extraordinary. There has been ample, ample opportunity for people to give their reaction, so for this to be coming up at the very last minute is a little bit of a surprise.

Nonetheless, that kind of thing happens, and it's been an interesting debate. These are genuine, heartfelt issues on all sides, including our side. You know, I've got two adult kids, and I like to think that they've turned out pretty well. But I understand from our perspective, you know, the old saying that it takes a village to raise a child. I hear a tremendous amount about the supreme rights, or some phrase like that, of parents with their children. I don't think it's supreme but overarching or paramount, and I have mixed feelings about that.

10:10

I happen to know that there are many parents who are not competent and who do a terrible job of raising their children. Our society, sadly, is filled with abusive families. We recognize as a society that there are times when the rights of a parent are not paramount and should not be paramount, when we have to intervene, for example, to protect children.

In much less extreme cases there are all kinds of examples where at least I, speaking for myself, am quite comfortable with my children learning from other people and that other people, whether they're schoolteachers or principals or neighbours or aunts and uncles or religious figures or whoever, have rights. I don't regard my children as chattels. I don't regard them as something I own. I regard them as citizens in a free and open society, who right from the day they're born benefit from a very broad and rich learning environment from which they'll learn their morality and they'll learn right and wrong. I just think that's good.

So we have different views – different views. There's no question about that. You know, we're not going to change each other on that. Fair enough.

I have noted in this amendment a couple of things. The amendment has the effect of removing reference to the Canadian Charter of Rights and Freedoms as well as to the Alberta Human Rights Act. The Member for Airdrie-Chestermere and others who have spoken in favour of the amendment have specifically expressed concern about the reference in Bill 2 to the Alberta Human Rights Act. I haven't heard any reference of similar concern to the Charter of Rights and Freedoms.

So I'm not sure if I should understand that those are in the same category or not because the amendment deletes references to both. [interjection] Okay. I'm getting an indication from the Member for Calgary-Glenmore. I'm going to infer here that the reference to the Charter of Rights and Freedoms is less of a concern than the reference to the Alberta Human Rights Act. I'm getting a nodding of agreement from Calgary-Glenmore on that.

I don't understand enough to know why the difference. I don't understand what it is, so maybe one of them can explain it to me. I mean, I know they're two completely different pieces of legislation. I actually happen to have a copy of the Alberta Human Rights Act here. If you're concerned about the Human Rights Act, why are you not also concerned about the Charter of Rights and Freedoms? I'd like to understand that. Secondly – I have to be

honest – I just don't understand and I haven't heard why you're so concerned about the Alberta Human Rights Act. I just don't understand what the fear is.

Perhaps I'll sit down and let one of those members explain it to me. Thank you.

Mr. Hinman: Well, I've sat in here and listened intently and with great interest to the discussion that's gone on. I find it interesting that there's so much misunderstanding. For me there's not too much to be misunderstood. It's quite clear what the government is trying to achieve with those points.

I guess I'll start off. The hon. Member for Edmonton-Riverview couldn't understand the point of order. If you look at (h), "makes allegations against another Member," he mentioned the Wildrose and made all types of allegations towards us that were wrong, saying that we hadn't done anything, we hadn't been proactive, and why are we all of a sudden doing it now? Absolutely not correct. Imputing false motives.

The Chair: Hon. member, the chair has already addressed that point, so please carry on.

Mr. Hinman: Well, you allowed him to ask the question, so I was answering his questions. He didn't understand your point, my point, so I had to clarify it for him. Neither one of us was able to articulate it in a way that he could understand.

The Chair: All right. Go on with the amendment.

Mr. Hinman: Okay. The Charter of Rights and Freedoms is very different from the Human Rights Commission. It's appointed. There's no rule of law. They make their own arbitrary decisions. They can proscribe their decisions. There's no place to appeal. It's very, very different from the Charter of Rights and Freedoms. I can't even personally understand how you could even think the two are correlated. They're not.

This whole bill in its current state is a major point for people of faith who want to do things at home. The minister says: "Oh, I'm not going to go into their homes. I'm not going to intrude." Well, he won't need to. He's handing it over to the Human Rights Commission. They are the ones that are proactive, and there are community activists who have an agenda, that want to force that on other Albertans. Albertans have paid a high price for that. They've lost their freedom of speech, freedom of religion, freedom of congregation because the human rights activists, the community activists, who don't agree and who have zero tolerance, though they preach tolerance, have abused the system.

It's a kangaroo court at kindest. It's caused all kinds of problems, Mr. Chair, and that's why there was a rally out here with 2,000-plus people. Again, the government says that we shouldn't ever be quoting from the papers. How many members in here received e-mails, like I did, but didn't have the courtesy to go out and see the rally? Yet they'd make comments, saying: oh, I think there are only 300 people. It's insulting to the people of Alberta that we make those types of comments right here in this House when the people got together right on the Legislature steps. Yet we don't even realize it's going on. Talk about living under the dome in a bubble. Wow. And then we wonder why the people are upset and don't think that this is in their best interest.

Again, putting words in the mouths of others, when did I ever say: too much? When someone asks how much, does that mean you can't buy something? If you go in, Mr. Chair, and you ask someone how much, are they insulted? "Oh, how dare you ask how much?" I think that people have a right to know before they buy or when something has happened. What is wrong with asking

how much? They immediately take it to decide that they're so against it. Very, very different, and they always jump to some pretty pathetic conclusions.

It was interesting that when my hon. colleague was talking in depth about the Human Rights Commission and whatnot, the Member for Edmonton-Whitemud's words were: mindless babble. Mindless babble. Because of her concerns and sharing what she's heard about the Human Rights Commission from Albertans. To me, that's exciting and causes some problems. Then he used the great word, that this is pathetic. I use that word a lot. I do think that what we're doing in here is truly pathetic, so I understand.

We should have the freedom of speech, but it can get people somewhat excited when they're talking about something that they're very concerned about and very passionate about. What the problem is and why we've brought this amendment forward, Mr. Chair . . .

Dr. Taft: Paul, can I ask a question, then?

Mr. Hinman: Sure. You bet. I'll go all night to discuss this. If you're asking questions, I'll be answering and be pleased to.

There are two main issues here in the purpose of this amendment coming forward. One is the question of parental rights. The hon. Member for Edmonton-Riverview has said many times over the years that I've been in here that he believes it takes a village to raise a child. I do not believe that. I believe a family can raise a child. You don't have to be in a village before you're successful at raising a child. There's great strength and value to be living in a great village, but it doesn't take a village to raise a child.

Sometimes there are people in our community – again, the Minister of Education brought up an excellent example of a group of individuals who are very concerned and obviously feel that music is bad and that we shouldn't be exposed to it. Who am I or who is anybody in this Legislature to say that that is wrong?

Dr. Taft: Nobody said that.

Mr. Hinman: Nobody did. I said: who are we to say that it's wrong? I didn't say that we shouldn't say that. Again, you're jumping to conclusions, negative attitudes.

I think that there are many, many experts, Mr. Chair, who have shown that music is a great enhancer of a person's ability. Should we as a state, then, pass a law and say, "Well, we've got the scientific proof to show that a child's development is improved if, in fact, they're exposed to music"? Should we attack this group because their belief is that they shouldn't? It's a really good example of where we can show the science, yet we can say that this shouldn't be. This is what's wrong if we want to impose law or legislation on someone saying: "No. We know better. The state knows better. Therefore, you must do it."

10:20

The number one issue here is parental rights. Do they exist, or do they not? I would argue that parental rights do exist – I have a strong belief in that – but I would also agree with the Member for Edmonton-Riverview that we actually have a Criminal Code and that if parents are negligent or causing harm to those children, then it is our duty to step in and to take those. But, my goodness, I don't want to be the person to be making that decision even on such simple things as music. Maybe that's why I'm so challenged, because I don't listen to very much music. My mother tried to teach it to me, and the music teacher said that she was wasting her money, that I had two left feet and was trying to play soccer. Well,

I don't have a lot of music talent, and I'm the first to admit it. I have tried a few times, though, and whatnot, but I can't even carry a tune in a bucket. It escapes me. So there you go.

Parental rights: it is paramount that we have them right in the legislation. If this government is so astute and has done so much consulting and all of those other things and says that they don't want to step in the way of parents, that they can teach the morals, the beliefs, the values to their children, then simply put it in the bill so that it's clarified. Unless, of course, they have an agenda, that they really do want to supersede the parent with their curriculum and what they want to teach so that down the road they can implement that.

I don't, Mr. Chair, for the life of me understand. If, in fact, they believe in parental rights, if they have said at different times that they are paramount, why don't we simply correct the bill? We corrected it very simply the other day where it says that students shouldn't bully, and it was unanimous. We all agreed that nobody should bully. Not even the Minister of Education, the top dog in education, should be allowed to bully. Everyone is saying, "Oh, nobody wants to interfere with parents," but will we put that in legislation? No. It's nothing but talk, cheap talk, and that's why people don't trust. It's because you say one thing, but you won't write it down.

I've done it many times myself, done a deal with a handshake. But, boy, I tell you that when one group breaks that deal, it's not very good. I have been burned a couple of times by saying that I'll deal on a handshake. So what do we have? Contract law. We write it down, and we're specific. Then we can go back and say: "Oh, you know what? I can't believe that. Three years later – this is amazing – I didn't think that that's what we agreed on. I'm sure glad we wrote it down." I've had that experience myself as well.

It's critical, Mr. Chair, that it's written down that parents either do or don't have paramount rights over the decisions for their children. It's not written in here; it's not clear. It's very easy for this government to accept an amendment, which they didn't, to clarify that. Therefore, you have to take the side that they don't want it. They say it, but they don't want it, and they're being silver-tongued salesmen saying: don't worry about it.

The other one, though, that's in here that causes a problem is, I want to call it, curriculum. You read section 16 in its current existence and the way it is: "All courses or programs of study offered and instructional materials used in a school must reflect the diverse nature and heritage of society in Alberta." Some people have some concern with that, and I want to respect those people. I think the law and the legislation should respect those people because they're a little bit nervous on what the diverse nature is that the government wants to have in their programs and courses.

I'm going to use another example because it's been brought up today by some of the members in your caucus. There are faith-based people that like to teach out of the Bible. Let's start with the first book, that all the controversy and the discussion is about. Oh, my goodness, if we read the creation of the world in Genesis, it doesn't disturb me. Other people are horrified: "The world couldn't have been created in six days. It's all false. We can't allow our children to know this stuff." Again, I think that's where we can teach and say, "Well, you know, it's not literal," and you can go on from there. But other people might want to teach that, no, this is literal because that's what they believe. Do we need to be paranoid and say: no, you can't do it. Do we need the Human Rights Commission to come in? I think that one of your members today tended to that feeling: oh, my goodness, it's the worst thing in the world for someone to teach that to their children. Well,

they're going to teach it whether they're home-schooling or on the weekends and go there.

It's interesting, though, when you have here "reflect the diverse nature," and I just think we need to respect that diverse nature and allow people to teach their beliefs and values to their children and not have this Human Rights Commission hanging over their head, that has a bad record of pouncing in on people and saying: that's not right.

The rally was about six words, and those six words are the last ones in section 16: "and the Alberta Human Rights Act."

Dr. Taft: Can I ask my question?

Mr. Hinman: Oh, you want me to sit down for your question? Sure. I'll sit down.

Mr. Hancock: This is going to go on for another 20 minutes, and I won't get a chance to adjourn. I don't know about you, but I've had enough.

Mr. Hinman: There again, Mr. Chair, we're having a little sidebar discussion.

The Chair: The hon. Member for Calgary-Glenmore has the floor.

Mr. Hinman: The Member for Edmonton-Whitemud has made it very clear that he's had enough, and he wants to adjourn. I guess the discussion is going to be over tonight. Again, I'm going to use his words because I agree with him on this: that's pathetic. Here we are discussing a very important bill, and he wants to adjourn and go. Again, for what reason?

The question, then, is on parental rights and curriculum.

Dr. Taft: Why do you want to delete reference to the Charter of Rights and Freedoms?

Mr. Hinman: I don't.

Dr. Taft: But the amendment does that.

Mr. Anderson: I can explain that.

Mr. Hinman: Yeah. He'll go over that.

I think that what we have is better. The question that's being asked is: why do we want to eliminate the Charter of Rights and Freedoms and why is it in there? Again, what we want to go back to is, we think, better. If someone would just put in a period at the end of "Charter of Rights and Freedoms," we'll be happy, and I'll be bringing an amendment forward tomorrow, probably, to do that one.

The point that's in here is a problem. The wording has changed. There is a big difference between these two. We want to go back to what was in the Education Act because there that's more about teaching. I want to go back to curriculum.

One of the questions that was brought up yesterday – and it's too bad that all of the members weren't there to listen to the speeches at that rally. There were some excellent speeches given on the purpose of education and what they wanted to do.

Education programs offered and instructional materials used in schools must not promote or foster doctrines of racial or ethnic superiority or persecution, religious intolerance or persecution, social change through violent action or disobedience of laws.

So this is a very different tone. What we used to have was to teach about tolerance and that we can't teach hate or bigotry, any of those things. But with this new one, in my personal opinion and

that of many Albertans I'm being surrounded by, we're going to have this wonderful new curriculum that we're going to be able to teach, and we can get to the point down the years where we'll enforce that curriculum, and that's what needs to be taught.

But, for me, as I look back on education now, we had this old thing that's called reading . . .

Mr. Rodney: Can we get out of here? I've had enough.

Mr. Hinman: The hon. Member for Calgary-Lougheed wants to get out of here. Is the government whip here? Could he answer that for him so that we don't have to be interrupted by him? You're free to go home, I'm sure. Is the whip telling you?

Mr. Rodney: I wasn't talking to you, Paul.

Mr. Hinman: Well, I can hear you, so why don't you go out and talk in the coffee shop?

The Chair: Hon. member, keep the process going. Speak through the chair and on amendment A6.

Mr. Hinman: Well, I'd be happy to, but sometimes I can't help but answer their silly questions. I stopped to do that.

The question is about curriculum whereas education, especially for home-schooling – I've gone to a few of their conferences, and it's quite amazing to listen to them talk about the importance of inspiring children. I guess I want to say that in home-schooling children are wired to learn. They love to learn. It's fun watching them as they're growing up when they're young: their enthusiasm, their desire to touch everything and to look at everything.

10:30

They get into school, and we start to try to teach them to read and to do writing and to do arithmetic. That's the real question: what is the purpose of education? Do we have a curriculum – the minister referred to that two or three times, a curriculum – or do we want to teach them the abilities to learn so that they can actually read and understand, so they can actually write and put things down, so they can do math?

A concern that some of the parents have that have talked to me is that they don't agree with the curriculum, but they very much want their children to be able to read, and then they can look at things and judge for themselves. There is a difference, Mr. Chair, between teaching children so that they have the reading, the writing, the arithmetic, and those skills to be out in this world and being exposed to a curriculum that some parents don't feel comfortable with.

Let me perfectly clear, Mr. Chair, that all of my children went through public schools. I personally don't have any fears of my children going through there, but it's about individual fears. It's about individuals' beliefs and their desires to do what they think is best for their children, and I think that this legislation as we have it and section 16 is very, very concerning to me in that we're actually trying to take those other ones that have other values and bring them in and say: this is wrong.

Like I say, the music one is music to my ears. Here it is that you can argue that this is right or wrong, so where does the state come in and say: no, music is important, and we need to teach that. [interjection] Not yet. But who's to say the experts won't come in and say that these parents are harming their children by not allowing them to be exposed to music? That's what this is all about. Do we have respect for parental rights and are they paramount, or is it, in fact, that they don't have them, and the state has that decision on what's best for the child? Is it about curriculum or

enabling them to learn and to be able to read and to write and to do those things? That's what all of this is about, Mr. Chair.

With that, I'll allow the government to not have to endure any more pain than they're obviously in, sitting in here listening to this, because I get the feeling that the Government House Leader is going to get up and adjourn the debate.

The Chair: The hon. Government House Leader.

Mr. Hancock: Yes, Mr. Chairman. After a few remarks, I would be most happy to oblige the hon. member, but I do want to say a few things first.

Over the last four years there has been an incredible discussion about education in this province. Inspiring Education was a phenomenal opportunity for a generative dialogue with Albertans about what education we need to have, what an educated Albertan looks like 20 years from now, what we need to do to be able to inspire each and every child to find their passion to learn, to maximize their potential?

I've often said, as I speak to graduation classes at the University of Alberta, which I try to do every year, that God has given each and every one of us talent and ability, and it's our duty, it's our obligation to maximize our personal potential so that we can contribute back in a maximum possible way. That's my particular philosophy, and I don't mind sharing it with those that will listen and even sometimes with those who don't. That's freedom of speech.

We have the opportunity to make a difference, we have an opportunity to maximize our God-given talents, and we have an obligation, in my view, to do that.

If the hon. member had been paying attention at all over the last three years, he would understand that it's not about curriculum at all. It's that every child is an individual, and every child has their own learning style and ability. Each child is unique, and each child needs to be inspired in their own way.

The richness of the education system that's going forward, which will be empowered by Bill 2, is that opportunity to be able to design education with the specific child in mind. That will mean that some people will choose for their child home education. That choice could be honestly made for any number of reasons. It may be for religious purposes, but it may be because the child has some barriers to success and they want to focus more on those barriers to success in a home area. It may be because the family travels a lot and they want to be with their children, so they want to take their children with them as they travel, whether it's for work or otherwise. There are all sorts of reasons, and it's not up to us to determine the legitimacy of those reasons.

What is up to us as a government and as a Legislature is to ensure that there are rich educational opportunities for every child in this province regardless of their abilities or their disabilities, regardless of where they come from, regardless of who they live with. This government is committed to that, and that's what Bill 2 speaks to. Bill 2 doesn't speak to government coming into the homes of people and doing something dastardly to their children or telling people that they can't speak to their children about their values.

People, particularly the hon. Member for Calgary-Glenmore, should understand where section 16 of the act originally came from. Ron Ghitter, who was a member of this House, had a task force on Tolerance and Understanding many years ago, and that task force was, unfortunately, a necessary process of the development of this province in understanding who we are as a people. Out of that, there was an understanding that as part of our education system we needed to make sure that our educational

materials and our programs and our curriculum, the programs of study and the structural materials, needed to reflect the diversity of the province, needed to reflect our heritage, needed in fact to reflect tolerance and understanding.

Now, I don't particularly like the word "tolerance." I think tolerance means putting up with people, and I think we should be embracing people. We should be embracing the differences that we have in this province and the fact that it's a very cosmopolitan place.

So we shouldn't be trying to scare people about the Human Rights Commission.

An Hon. Member: How can you embrace it when you have two things that disagree with each other, then?

Mr. Hancock: It's simply a matter of saying: in instructional materials and programs. Now, there's nothing to say that a home-schooler needs to use a particular set of instructional materials and programs. In fact, there are many diverse ways in which home-schoolers deal with instructional materials and programs.

The Chair: Hon. member?

Mr. Hinman: The good House leader often brings this up, and I just have to ask: is this on the amendment?

Mr. Hancock: Yes.

Mr. Hinman: Yes? Thank you. I couldn't see the . . .

Mr. Hancock: I mentioned section 16 a number of times, Mr. Chairman.

The Chair: Hon. member, the hon. minister has the floor. Don't interrupt the hon. member. Talk through the chair.

Continue on.

Mr. Hancock: I don't understand even the point because I mentioned section 16 and brought it right back to 16 and the roots of section 16, so I'm not sure what the hon. member's point is.

However, I do find it very interesting that other members of that hon. member's caucus in previous years worked very hard to ensure that parental choice was enshrined in the Alberta Human Rights Act. So the very people who are now saying the Human Rights Act takes away people's rights and is one of the worst things we have are the people that a few years ago under Bill 44 in this House wanted the Alberta Human Rights Act to protect the ability of people to choose to take their children out of religious instruction or out of instruction with respect to sexual orientation.

Mr. Anderson: What does that have to do with it?

Mr. Hancock: It has to do with the fact that you're trying to . . . [interjections] The hon. Member for Airdrie-Chestermere is very confused tonight. He can't understand that it's entirely inconsistent for him on one hand to denigrate the Human Rights Commission and the Human Rights Act and denigrate their purpose and on the other hand to insist that something be put into it in order to protect potential choice. [interjections]

The fact of the matter is that there is parental choice in this province. It's a choice that this government supports, a wide range of educational choices, and parents are paramount with respect to the education of their child.

Now, the hon. members will immediately start yapping, as they are, about the fact that they had an amendment which could put paramountcy in. Unfortunately, they are very confused in their drafting, so the piece that they brought forward relative to

paramountcy confused the issue as to whether parents have the paramount choice of how their children are educated and where or paramountcy once they've chosen that. Obviously, once you've put your child into a public school, you cannot have paramountcy for parents. The parents can't come into that school on a day-to-day basis and tell the teachers and the principals exactly how the school is going to be operated. That would create anarchy. That would create anarchy. So paramountcy is important, but you don't need to write any more of it into the act to make it real. We have rights, and until those rights are taken away, those rights exist.

I have children, and I have the right to educate those children. I have the right to instill in those children my personal values and to raise them as my children with the beliefs that I believe in, and they have the right to challenge those beliefs. They ought to have an education which allows them to challenge those beliefs so that we can have a proper dialogue and they can understand the basis of those beliefs. But if they're my children – and they're not my chattels; I agree with you hon. member – it is my right in my home to instill my values, my cultural heritage, my religion in those children until they get to the level where they can challenge those beliefs and they can strike out on their own, and it is my obligation to make sure that they have an education which will enable them to perfect, to improve, to maximize their personal potential so they can contribute back to the community and give back in a way that I believe God intended all of us to do.

10:40

I find it really amazing that after all the consultation on this act, all the generative dialogue on this act, all of the discussions, including many, many opportunities that have been had to assure people who are doing home-schooling that there's nothing in this act which is going to change their ability to home-school their children in the way that they want to home-school them, these hon. members at the last minute want to raise these types of amendments.

You know, the hon. Member for Calgary-Glenmore was making some derisive remarks about being tired and wanting to adjourn

debate. It has been a long day, and we worked very hard. Notwithstanding what others might want to say about it, MLAs work very hard. They were here last night until, I think, 1:30. Quite frankly, I think it's time for people to go home and reflect and come back fresh tomorrow with a new perspective on this bill.

I would move that we adjourn debate.

[Motion to adjourn debate carried]

Mr. Hancock: Mr. Chairman, I move that the committee rise and report progress on Bill 2.

[Motion carried]

[The Deputy Speaker in the chair]

The Deputy Speaker: The hon. Member for Leduc-Beaumont-Devon.

Mr. Rogers: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration a certain bill. The committee reports progress on the following bill: Bill 2. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

The Deputy Speaker: Having heard the report by the hon. Member for Leduc-Beaumont-Devon, those in favour, please say aye.

Hon. Members: Aye.

The Deputy Speaker: Opposed? So ordered.

The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I'd move that we adjourn to 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 10:44 p.m. to Wednesday at 1:30 p.m.]

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