



Province of Alberta

The 27th Legislature  
Fifth Session

# Alberta Hansard

Wednesday afternoon, March 21, 2012

Issue 21a

The Honourable Kenneth R. Kowalski, Speaker

## Legislative Assembly of Alberta

### The 27th Legislature

Fifth Session

Kowalski, Hon. Ken, Barrhead-Morinville-Westlock, Speaker  
Cao, Wayne C.N., Calgary-Fort, Deputy Speaker and Chair of Committees  
Zwozdesky, Gene, Edmonton-Mill Creek, Deputy Chair of Committees

Ady, Cindy, Calgary-Shaw (PC)	Johnston, Art, Calgary-Hays (PC)
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Amery, Moe, Calgary-East (PC)	Klimchuk, Hon. Heather, Edmonton-Glenora (PC)
Anderson, Rob, Airdrie-Chestermere (W), Wildrose Opposition House Leader	Knight, Mel, Grande Prairie-Smoky (PC)
Benito, Carl, Edmonton-Mill Woods (PC)	Leskiw, Genia, Bonnyville-Cold Lake (PC)
Berger, Hon. Evan, Livingstone-Macleod (PC)	Liepert, Hon. Ron, Calgary-West (PC)
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)	Lindsay, Fred, Stony Plain (PC)
Bhullar, Hon. Manmeet Singh, Calgary-Montrose (PC)	Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC)
Blackett, Lindsay, Calgary-North West (PC)	Lund, Ty, Rocky Mountain House (PC)
Blakeman, Laurie, Edmonton-Centre (AL), Official Opposition Deputy Leader, Official Opposition House Leader	MacDonald, Hugh, Edmonton-Gold Bar (AL)
Boutilier, Guy C., Fort McMurray-Wood Buffalo (W)	Mason, Brian, Edmonton-Highlands-Norwood (ND), Leader of the ND Opposition
Brown, Dr. Neil, QC, Calgary-Nose Hill (PC)	McFarland, Barry, Little Bow (PC)
Calahasen, Pearl, Lesser Slave Lake (PC)	McQueen, Hon. Diana, Drayton Valley-Calmar (PC)
Campbell, Robin, West Yellowhead (PC), Government Whip	Mitzel, Len, Cypress-Medicine Hat (PC)
Chase, Harry B., Calgary-Varsity (AL)	Morton, Hon. F.L., Foothills-Rocky View (PC)
Dallas, Hon. Cal, Red Deer-South (PC)	Notley, Rachel, Edmonton-Strathcona (ND), ND Opposition House Leader
Danyluk, Hon. Ray, Lac La Biche-St. Paul (PC)	Oberle, Hon. Frank, Peace River (PC)
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Denis, Hon. Jonathan, QC, Calgary-Egmont (PC), Deputy Government House Leader	Ouellette, Luke, Innisfail-Sylvan Lake (PC)
Doerksen, Arno, Strathmore-Brooks (PC)	Pastoor, Bridget Brennan, Lethbridge-East (PC)
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Jablonski, Mary Anne, Red Deer-North (PC)	VanderBurg, Hon. George, Whitecourt-Ste. Anne (PC)
Jacobs, Broyce, Cardston-Taber-Warner (PC)	Vandermeer, Tony, Edmonton-Beverly-Clareview (PC)
Johnson, Hon. Jeff, Athabasca-Redwater (PC)	Weadick, Hon. Greg, Lethbridge-West (PC), Deputy Government House Leader
	Webber, Len, Calgary-Foothills (PC)
	Woo-Paw, Teresa, Calgary-Mackay (PC)
	Xiao, David H., Edmonton-McClung (PC)

#### Party standings:

Progressive Conservative: 66    Alberta Liberal: 8    Wildrose: 4    New Democrat: 2    Alberta: 1    Independent: 1    Vacant: 1

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Verlyn Olson	Minister of Justice and Attorney General
Fred Horne	Minister of Health and Wellness
Ron Liepert	Minister of Finance
Thomas Lukaszuk	Minister of Education, Political Minister for Edmonton
Diana McQueen	Minister of Environment and Water
Jonathan Denis	Solicitor General and Minister of Public Security
Cal Dallas	Minister of Intergovernmental, International and Aboriginal Relations, Political Minister for Central Alberta
Evan Berger	Minister of Agriculture and Rural Development, Political Minister for Southern Alberta
Frank Oberle	Minister of Sustainable Resource Development
George VanderBurg	Minister of Seniors
Ray Danyluk	Minister of Transportation
Jeff Johnson	Minister of Infrastructure, Political Minister for Northern Alberta
Doug Griffiths	Minister of Municipal Affairs
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Alana DeLong	Seniors
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DeLong  
Groeneveld  
Johnston  
MacDonald  
Quest  
Taft

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Calahasen  
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Benito      Knight  
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Doerksen      Sandhu  
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Hinman      Xiao  
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Jacobs      Tarchuk  
Knight      Taylor  
Leskiw      Zwozdesky  
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Chase      Sandhu  
Elniski      Vandermeer  
Fawcett      Woo-Paw  
Forsyth      Xiao  
Groeneveld

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DeLong  
Doerksen  
Forsyth  
Notley  
Rodney  
Rogers  
Swann  
Woo-Paw

## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, March 21, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon and welcome. I would ask all hon. members and those in the galleries to remain standing after the prayer so that we may pay tribute to a former colleague who has passed away.

Let us pray. Renew us with Your strength. Focus us in our deliberations. Challenge us in our service to the people of this great province. Amen.

### Mr. George Topolnisky August 13, 1919, to March 19, 2012

**The Speaker:** Mr. George Topolnisky, former Member of the Legislative Assembly, passed away on March 19, 2012. Mr. Topolnisky served as a member of this Assembly from August 30, 1971, to May 7, 1986. During his years of service he represented the constituency of Redwater-Andrew for the Progressive Conservative Party.

Mr. Topolnisky served as minister without portfolio from September 10, 1971, to April 2, 1975, as well as minister responsible for rural development. He served on a number of committees, including the standing committees on Private Bills; Private Bills, Standing Orders and Printing; Public Accounts; Public Affairs; Public Affairs, Agriculture and Education; and as chair of Law and Regulations. He was also the chair of the Select Special Committee on Recreational and Commercial Fishing Industries in Alberta and served on the Special Committee of the Legislature on Professions and Occupations.

With our admiration and respect there is gratitude to members of his family who shared the burdens of public office. Our prayers are with them. In a moment of silent prayer I ask you to remember the hon. member, George Topolnisky, as you may have known him. Rest eternal grant unto him, O Lord, and let light perpetual shine upon him. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Deputy Premier.

**Mr. Horner:** Thank you, Mr. Speaker. It is indeed a pleasure for me to rise on behalf of the member from the constituency of Stony Plain and introduce to you and through you to all Members of the Legislative Assembly a superb group of students from Duffield school. They are joined today by parent helpers Mrs. Priscilla Spratt, Mrs. Shonia Tarr, Ms Laura Peaire, Mr. Duane Drews as well as their teachers, Mr. Christopher Giauque and Mrs. Cindy Charleson. This group is seated in the public gallery this afternoon to observe question period, and I would ask them to now rise and receive the traditional warm welcome of this Assembly.

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

**Mr. Liepert:** Thank you, Mr. Speaker. I have two introductions this afternoon if I could, please. First off, we're privileged to have a group of students from John Hopkins School of Advanced International Studies based out of Washington, DC, visiting Alberta this week. I had an opportunity to meet with these

students over the lunch hour, and we could have used several hours to answer all the questions they had. I'd like to introduce them and ask them to stand as I recognize them and to remain standing to receive the recognition from the Assembly. We have with us today Jeannette Lee, Elena Chobanova, James Stranko, Martin Ross, Gorav Chaudhry, Clarke Lind, Bree Bang-Jensen, Rania Papageorgiou. Their leader is Dr. Charles Doran. They're joined by someone who is relatively familiar to many members of this House, Paul Yeung of the Royal Bank. I'd ask members to please recognize them and welcome them to Alberta.

It's also my pleasure today on behalf of the hon. Member for Calgary-Shaw to introduce to you and through you an enthusiastic group of some 36 elementary students from Trinity Christian school in Calgary. The hon. Member for Calgary-Shaw told me that this is the 11th year that this school has made the journey to Edmonton to visit the Legislature. That's every year that she has been in office, Mr. Speaker. Their teacher, Ms Cheryl Barnard, along with 20 parents have joined them today to learn about what happens inside the Legislature. I'd ask that they all rise and receive the warm welcome of this Assembly.

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

**Mr. Johnson:** Thank you, Mr. Speaker. It's an honour to introduce to you and through you to members of this Assembly approximately 30 students and their teacher and parent helpers from Guthrie school, which is a school that lies right on our military base here at Edmonton Garrison. All of these children have parents in the military, and some are in Afghanistan as we speak, so we thank them for that. These grade 6 students are accompanied by their teacher, Colleen Tremblay; her assistants, Becky Williams and Danny Hagen; and volunteers David Samson and Kerry Boivin. I'd ask them to please rise and receive the traditional warm welcome of this Assembly.

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

**Mr. Weadick:** Thank you, Mr. Speaker. It's my great pleasure today to rise and introduce to you and through you to all members of this Assembly a truly outstanding Albertan, Dr. Lorne Babiuk, who earlier today was named a recipient of one of the world's most prestigious international awards for research and medical science. He's the winner of the 2012 Gairdner award. Dr. Babiuk is the only Canadian among seven international recipients of the Gairdner award this year, and he is only the second winner in the history of the province of Alberta.

He's being honoured for his research and leadership in infectious diseases and developing vaccines for human and veterinary use. Dr. Babiuk is currently the vice-president of research at the University of Alberta, where he helped establish the Li Ka Shing Institute of Virology and the Helmholtz Alberta initiative. Dr. Babiuk is a leading researcher in infectious diseases, particularly zoonotic diseases, those that pass from animals to humans, and is acclaimed for his work in vaccine development. He has said that vaccines are one of the most effective ways to improve people's quality of life while reducing rates of sickness and death. I don't think anyone could argue with that. He should be very proud for doing something that directly helps not only his fellow Albertans but people around the world. We are certainly proud of him, and we are proud to count him among Alberta's amazing research community. Dr. Babiuk is seated in the members' gallery. Please join me in congratulating him for his excellent research.

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

**Mr. Blackett:** Thank you, Mr. Speaker. It's a pleasure to introduce to you and through you to this Legislature Rolly Ashdown, who is the reeve and councillor for division 4. He's actually a constituent of the MLA for Foothills-Rocky View, our Minister of Energy. I happened to run into Rolly at the AAMD and C luncheon, and we were chatting about politics and the upcoming events. He said that he would like to come down to the Legislature this afternoon to see the proceedings, and I said that I would love to have the pleasure of introducing him to this House. I'd ask him to rise and receive the warm welcome of this Legislature.

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

**Mr. Allred:** Thank you very much, Mr. Speaker. I am pleased to rise today and introduce a gentleman that's certainly no stranger to yourself, I know, and to many other members of the Assembly. I'd like to take the opportunity and have the privilege to introduce him to you and through you to the rest of the Assembly. Mr. Charles Rees is a constituent of mine and a very strong supporter of this government. He is a businessman and an entrepreneur that specializes in promotional gift items. I'd ask him to stand, please, and receive the traditional warm welcome of the Assembly.

Thank you.

1:40

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

**Mr. Johnston:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members of this Assembly four guests that I had the pleasure of meeting with today. They should all be up in the members' gallery, and I would ask them to stand as I speak their names: Mr. Len Rhodes, the president and CEO of the Edmonton Eskimo Football Club; Mr. Les Mabbott, chairman and managing director of LPI Corp.; Mrs. Shamsah Panjwani, branch manager, National Bank of Canada, Commerce Place branch, Edmonton; and last but not least my brother David Johnston. He recently transferred here from Saint John, New Brunswick, and he's a financial planner with the National Bank of Canada here in Edmonton. I'd like you to give them the warm traditional welcome.

**The Speaker:** The hon. Leader of the Official Opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to members of this Assembly Mrs. Veronika Lewinske. Mrs. Lewinske is a young woman with an inspiring story of what can be accomplished in just under a year in Alberta. In 2007 she left Moldova with her husband and moved to Alberta. Last year she discovered the Microbusiness Training Centre in Edmonton and enrolled in its self-employment program. It allowed her to start her own business and import a little piece of home to share with Albertans, Moldovan wines. Mrs. Lewinske is thankful to be in Canada because of the treatment her two-year-old son can receive. He suffers from cystic fibrosis. The treatment our health professionals are able to give her son is extremely hard to come by in her homeland. I welcome Mrs. Lewinske to her new homeland and ask her to rise and receive the traditional warm welcome of the Assembly.

### Ministerial Statements

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

### International Day for the Elimination of Racial Discrimination

**Mr. Olson:** Thank you, Mr. Speaker. As everyone in this House can attest, Alberta's diversity is its strength. We are lucky to live in a province alive with the customs and traditions of many unique and vibrant cultures, where all citizens feel a sense of belonging and pride, from our aboriginal communities to the newly arrived Canadians who now call Alberta home.

Unfortunately, despite this rich diversity racial discrimination does still exist. That's why it's vital that we all take the time to recognize the International Day for the Elimination of Racial Discrimination.

On March 21, 1960, police opened fire on a group of peaceful protestors at a demonstration against the apartheid pass laws in Sharpeville, South Africa. Sixty-nine peaceful protestors were gunned down for standing up for what they believed in that day. It was a horrific loss of life and one not soon forgiven around the world. Six years later the United Nations declared March 21 the International Day for the Elimination of Racial Discrimination.

From this tragedy comes an annual reminder for all of us about the effects that racism can have around the world. Unfortunately, 52 years from the original tragedy it's still a reminder that we need today. The International Day for the Elimination of Racial Discrimination is a moment to honour the memory of those whose lives were stolen in Sharpeville. It's an opportunity for all to join the fight against racism, and it reminds us of the negative power of racism and the responsibility each of us has to foster equality and fairness for all.

Looking around the Chamber today, I see a broad spectrum of races represented, but if I had to guess, most of us have never had to feel the sting of a racist comment or a deliberately discriminatory act. Those in this House who have know the frustration felt by thousands of Albertans who experience ignorance and intolerance on a regular basis and know just how important dialogue, understanding, and tolerance are to ending racial discrimination. These aren't just values we need to learn ourselves; these are values that we need to teach our children, our grandchildren, and our nieces and nephews.

Today in communities across Alberta we are doing just that. Events are being held around the province encouraging Albertans to take an active role in eliminating all forms of racial discrimination.

The importance of this goal is reflected in our province's human rights legislation, the Alberta Human Rights Act, which recognizes the equality of all persons as a fundamental principle and a matter of public policy.

The Alberta Human Rights Commission helps support these goals through its twofold mandate; that is, to foster equality and to reduce discrimination. The commission has championed initiatives such as the Canadian Coalition of Municipalities Against Racism and Discrimination. This international UNESCO initiative encourages municipalities to make a public commitment to a plan of action to counter racism and discrimination.

I'm pleased to let you know, Mr. Speaker, that there are 13 municipalities that have joined the coalition in Alberta, the most that have joined in any of the western provinces. With the commission's support, community-based projects are helping to reduce and counter racism and make our communities more welcoming and inclusive. Where needed, the commission also works with Albertans directly in resolving and settling complaints of racism and discrimination.

It's up to each and every one of us to promote fairness and speak out against racial and other forms of discrimination. The

International Day for the Elimination of Racial Discrimination is a great place to start our efforts, efforts that should carry on throughout the year. By welcoming and sharing our diverse cultures, we are enhancing the richness of life in Alberta and ensuring that everyone can participate, free from discrimination.

Thank you.

**The Speaker:** On behalf of the Official Opposition the hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you, Mr. Speaker. Though it's sometimes tough to admit it in supposedly enlightened Canada, racial discrimination remains a threat to our culture, economy, and way of life. Western society has come a long way in the last 100 years. It wasn't so very long ago that our literature, politics, and daily life took it for granted that there was a racial hierarchy, and society's laws and mores reflected those attitudes, with many opportunities denied anyone who didn't belong to the privileged class. These days such outright discrimination is frowned upon by virtually everyone but a tiny lunatic fringe. But that doesn't mean the battle against racism is over. Far from it. Prejudice remains. It can be seen in the poor health and economic outcomes of our First Nations people and their way higher than average rates of homelessness, poverty, and incarceration. It can be seen on the websites of hate groups and chain e-mails circulating racist jokes or outright lies about immigrants.

As elected officials there are steps we can take to fight racial discrimination. First and foremost, we can and should lead by example by speaking out against racism. I think the hon. members of all caucuses in this Assembly do an excellent job of that. We can also improve government policy to better integrate immigrants into Alberta's economy and society. Recognition of foreign credentials remains an important issue in Alberta. For example, it's a barrier to hundreds of well-qualified professionals that could be helping our public and private sectors. We have a shortage of physicians in this province, for example, that could be alleviated if we did a better job of recognizing the credentials of our immigrants. We could and should increase ESL funding at work and school along with settlement funding.

Perhaps most important of all, we must stop the fragmentation of our public school system into private and charter schools catering to all kinds of different religious and ethnic groups. Public schools, in which children of all races, religions, cultures, and socioeconomic status learn and play together, are the single greatest force against racial discrimination. It can be pretty tough to change the mind of a racist adult, but children have no inherent prejudices, and they'll never learn them if they grow up in the environment of diversity and acceptance fostered by public schools.

Thank you.

**The Speaker:** Hon. members, at least one member has risen. I believe the intent would be to request approval to participate. Under our conventions, in order for additional members to participate, the question of unanimous consent has to be dealt with. So I will ask the question: is any member opposed to allowing additional members to participate in the response to the ministerial statement? If so, say no.

[Unanimous consent granted]

**The Speaker:** The hon. Member for Airdrie-Chestermere, followed by the hon. Member for Edmonton-Strathcona, followed by the hon. Member for Calgary-Currie.

1:50

**Mr. Anderson:** Thank you, Mr. Speaker, and thank you to the members opposite. I'd like to echo on behalf of the Wildrose caucus the comments by this minister recognizing the International Day for the Elimination of Racial Discrimination. In doing so, I'd like to quote a favourite passage from Dr. Martin Luther King during his I Have a Dream speech that he gave in Washington. It's one of the most touching pieces that I've ever seen. Every time you watch the speech, your spine tingles because it was such a visionary and wonderful speech. This was a visionary and wonderful man.

I have a dream that one day this nation will rise up and live out the true meaning of its creed: "We hold these truths to be self-evident, that all men are created equal."

I have a dream that one day on the red hills of Georgia, the sons of former slaves and the sons of former slave owners will be able to sit down together at the table of brotherhood.

I have a dream that one day even the state of Mississippi, a state sweltering with the heat of injustice, sweltering with the heat of oppression, will be transformed into an oasis of freedom and justice.

I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character.

I have a dream today.

Mr. Speaker, let's all do our part in this Legislature to make sure that one day Dr. King's visionary dream becomes a reality. Thank you.

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

**Ms Notley:** Thank you, Mr. Speaker. This annual day on the calendar reminds us that there is work to do every day to end racism. News of public events such as a white power rally that may take place this weekend in Edmonton are dramatic reminders. More deeply, the evidence of the pervasive persistence of structural and systemic racism is not difficult to find.

The Human Rights Commission, which should provide leadership in these things, continues to be limited because of what it cannot do such as initiate its own investigations without a complaint. Much of what is happening is in informal situations that do not lead to formal complaints but do add to stress and fear for many people in our communities.

The proof of racism is in such things as the overrepresentation of indigenous people in prisons and children in government care. It is in the overrepresentation of racialized populations in low-income groups.

One of the best tools for creating equality is education. We need effective programs, not just superficial marketing gimmicks. We move in the wrong direction when we do not adequately fund our public schools or make it easier to avoid these issues in classrooms. We need education in workplaces as well, especially with employers, on a continuing basis.

This old government introduced much-needed human rights legislation 40 years ago. Today the lack of resources has marginalized this to little more than a rhetorical issue. Laws that say that there will be no discrimination are only as good as the enforcement of violations.

Fortunately, others in the province are energetic in the practical work to see racism eliminated in Alberta. The many members of Alberta's Urban Municipalities Association that have become part of the Coalition of Municipalities Against Racism and Discrimination deserve recognition. The Racism Free Edmonton program is supported by thousands of individual citizens. Alberta

human rights champions such as Professor Gerald Gall, who died a few days ago, are an inspiration to all of us.

As we renew our commitments to work to end racism, we must also express thanks to groups such as the Centre for Race and Culture, the John Humphrey centre for human rights, and the Sheldon M. Chumir Foundation for Ethics in Leadership that are doing exemplary work to eliminate racial discrimination in our province.

We must make Alberta a home where racism is eliminated. We need to remember that our human rights code prohibits discrimination on grounds that go beyond racism. As the T-shirts of the people at a rally on the steps of this Legislature Building today said: everyone should expect respect.

Thank you.

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

**Mr. Taylor:** Thank you very much, Mr. Speaker. I will be brief. As the representative of the Alberta caucus and the fifth party in this House it's difficult to stand in response to the ministerial statement and all the excellent responses thus far and not be repetitive. Rather than echo the comments thus far, all of which have been exemplary, I'll simply agree with their statements that any and every step to eliminate racial discrimination in this province, in this nation of ours, and abroad is a good step.

With that said, it's great that today we can recognize the International Day to Eliminate Racial Discrimination. I think all of us in this House can agree that we are abhorrently opposed to racial discrimination in any capacity. But while it's important to recognize the need to eliminate it today, I'm forced to wonder why every day is not International Day for the Elimination of Racial Discrimination. This should be something that we as MLAs and we as individuals and all citizens of Alberta strive towards 365 days a year. Recognizing it one day out of the year is simply not enough.

While we must never forget Sharpeville, it is my hope that someday we do not need to celebrate the International Day for the Elimination of Racial Discrimination as it will truly have become a thing of the past. Until then we have a commitment to treat every day like today.

Thank you.

### Statement by the Speaker

#### Tablets and Other Electronic Devices in the Chamber

**The Speaker:** Hon. members, on January 27, 2012, I wrote a letter to all Members of the Legislative Assembly, and I'd like to just quote one paragraph.

On a trial basis for the spring sitting and in recognition of the environmental impact of reducing paper use, I am allowing Members to use their tablets and PDAs during Oral Question Period only as virtual reading devices and not for sending or receiving messages. This will require Members to switch their tablets and PDAs to "Airplane Mode" and to ensure that all sounds are muted during OQP.

Well, this morning I received contact from several members who basically said that several other members have violated that. In a matter of just a couple of minutes of research, I see that their complaints were absolutely correct. Members in different caucuses have been doing this.

**An Hon. Member:** It's a shame.

**The Speaker:** I think it is.

We had a great discussion about the use of tablets and PDAs. We accepted the recommendation of the members to basically use

them, and then members take it upon themselves to violate it. So I won't name them today, and we'll see what happens. Obviously, there has to be some element of trust and decorum, a very minimal element that should be expected.

### Oral Question Period

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

#### MLA Remuneration

**Dr. Sherman:** Thank you, Mr. Speaker. Yesterday the government whip announced that PC MLAs on the no-meet committee would pay back \$5,000 each, saying it's the right thing to do. This current government clearly has no sense of right and wrong. It says no to a true public inquiry, no to lower power bills, no to Albertans who are demanding PC MLAs pay back all the money they took for doing nothing. How can the Premier say that her government's response to yet another scandal is anything more than smoke and mirrors?

**Mr. Horner:** Mr. Speaker, I would hardly classify the MLA pay package that was passed by the Members' Services Committee of this House as scandalous. What I would say is this. This Premier campaigned on change and within the first 60 days of coming into office as Premier asked the Speaker of the House to commission an independent inquiry into MLA salaries. That independent inquiry will be bringing back a report to the Speaker, I'm told, sometime in the next few weeks. That was point number one.

Point number two, Mr. Speaker, was that . . .

**The Speaker:** Maybe we'll get that in the second question. The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that the Premier had previously stated that she would not be ordering her MLAs to pay back what they took, why has the Premier flip-flopped yet again? Who is really driving her campaign bus?

**Mr. Horner:** Mr. Speaker, the Premier did not order individual MLAs to pay back anything. Our caucus has agreed to return funds received by members of that all-party Standing Committee on Privileges and Elections, Standing Orders and Printing, and that is from when the Premier took office. That's the fourth point of the response.

Let me continue with the second point of the response. No member of this caucus is receiving any committee pay as we speak, Mr. Speaker, because the Premier has suspended all committee pay.

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

**Dr. Sherman:** Thank you, Mr. Speaker. Given that this is the same Premier and same cabinet and caucus that put these rules in and that when the heat is on this Premier has a history of dealing with this scandal and other scandals by making a token gesture and sending the issue off to panels and committees to be delayed until after the election, how can anyone trust this Premier and this government to do the right thing once the heat is off? Make them give it all back right now.

**Mr. Horner:** Well, Mr. Speaker, the third point of what this Premier has already done is that we initiated, through the Members' Services Committee yesterday, a motion to, for the fourth year in a row, make sure that MLA salaries rise by zero per



cent. I would also suggest that we're being very open and honest about what we're doing. We're not trying to play games with this. This is an Assembly package of salaries. We anticipate an independent review. That's what we're expecting.

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

**Dr. Sherman:** Thank you, Mr. Speaker. He's right. These aren't games. It's a slap in the face of Albertans.

## 2:00 Long-term Care Serious Incidents

**Dr. Sherman:** Here's another slap. Today the *Calgary Herald* reports more than 1,000 confirmed cases of abuse against our seniors and other vulnerable Albertans under care in provincial facilities. Many families have come forward to tell their stories of loved ones routinely being left in their own feces, suffering from sores and, in some cases, being left alone to die. But in this House the Premier has dismissed these as unfortunate and isolated incidents. What does the Premier have to say now? Are these 1,000 cases just more unfortunate and isolated incidents?

**Mr. Horner:** Mr. Speaker, there are on any given day thousands of qualified health care professionals working diligently in this province to provide care for those who are in need. You cannot characterize some unfortunate circumstances as blanketed to all of those health care professionals, and we will not do that.

**Dr. Sherman:** Mr. Speaker, 1,000 incidents. Given that the sheer volume of complaints makes it clear that this issue is not isolated – it's actually rampant – will the Premier finally admit that her government's policy of starving public, not-for-profit facilities has resulted in an abject humanitarian failure?

**Mr. Horner:** Mr. Speaker, I will not categorize the health care system or the care system in this province as a failure. I will characterize it as some of the best in the land. This hon. member actually stood up today and talked about some of the best care in the land, in the world, which is attracting people to our province. It continues to do so. Are there problems? Yes, there are problems in our system. We are working with those health care professionals to deal with those problems and to make the system better.

**Dr. Sherman:** Mr. Speaker, it is the best in the land when the staff are resourced with enough staff and finances. Given that Albertans are clamouring for action instead of more empty promises and slick lawyer talk, will the Premier finally say yes to adequate funding and adequate staffing and adequate monitoring of seniors' care facilities for our parents and grandparents?

**Mr. Horner:** Mr. Speaker, first of all, I wouldn't characterize the legal profession as being slick. I'm not a lawyer, so I'm not speaking as a lawyer or like a lawyer. I would put that on the record first.

The second piece I would say is that we just passed a budget in this House that is going to do exactly that. It is going to resource the type of facilities, the type of premium health care facilities, that Albertans are expecting from this government, and that's exactly what we're going to do.

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

## Donations to Political Parties

**Dr. Sherman:** Thank you, Mr. Speaker. Not only has another handful of postsecondary institutions illegally donated to the PC Party; they did so explicitly to get the ear of this government. So far 50 cases of illegal donations to the PCs are being investigated by the Chief Electoral Officer. Clearly, this government doesn't know the difference between right and wrong let alone the difference between legal and illegal. To the Premier: can the Premier tell Albertans why postsecondary institutions, municipal officials, and school boards believe that they need to donate to this PC Party to have their voices heard?

**Mr. Horner:** Mr. Speaker, they don't need to donate to any political party to have their voices heard. We have said time and time again in this House that the rules are the rules. We expect our postsecondary institutions to follow those rules. We expect the municipalities to follow those rules. I would point out that it isn't just our party that solicits donations from all sorts of organizations, but a number of others do as well.

**Dr. Sherman:** Mr. Speaker, given that this is coming from a member who received donations from the Bahamas and given that this government doesn't grasp that it is illegal to exchange government time and favours for donations to the PC Party and given that returning the money after you've been caught does not negate the fact that it was illegal, what is the Premier going to do to stop this culture of corruption?

**Mr. Horner:** Mr. Speaker, coming from an hon. member who won't even tell us how much he makes as a doctor in this House is a little bit incredulous. But let me tell you this. Other people have bank accounts all over the globe. Where they write it from is immaterial.

I want to go back to what I said about other members in this House, other parties soliciting donations. I have another e-mail here from a member of this House that says: "Hi. Hope this finds you well. Just wanted to quickly let you know that there are only about 75 tickets remaining to the dinner with Wildrose Party leader Danielle Smith and myself."

**The Speaker:** The hon. leader, please.

**Dr. Sherman:** Mr. Speaker, that's quite rich coming from a party that has top-up funds for their leaders.

Given that this government created a system where backdoor access is given to people with strong relationships to the PC Party and is openly rewarding institutions for illegal financial donations with access to government, how can any Albertan trust this corrupt government to be in power for one extra day?

**Mr. Horner:** Mr. Speaker, this hon. member loves to make accusations with no truth to them. This hon. member loves to talk about things that, frankly, are not true, as in the party top-ups. He has absolutely no idea, and that's painfully evident to most people.

Let me come back to the MLA for Airdrie-Chestermere's e-mail to the Athabasca University soliciting donations. All of the postsecondary institutions that have been referenced, to my understanding, either have repaid the money or those institutions have also done strengthening to their policies and procedures . . .

**The Speaker:** Okay. We're going to move on. For all my imagination I can't see anything in the last three questions that has anything to do with the Oral Question Period.

The hon. Member for Fort McMurray-Wood Buffalo.

### Fixed Election Dates

**Mr. Boutilier:** Thank you very much, Mr. Speaker. Spring is here, and in the spirit of hope I'm going to give this Premier a last chance to come clean on the question Albertans expected to know months ago. The Premier promised a fixed election date, a date all Albertans could circle on their calendar, but she's broken that promise because nobody knows except her and her closest PC buddies. But today is a new season, and I'm filled with optimism. To the Premier: will you right here, right now be up front with all Albertans and tell us the day of the provincial election?

**Mr. Horner:** Mr. Speaker, the provincial election will be held before May 31.

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

**Mr. Boutilier:** Thank you, Mr. Speaker. Based on that non answer and given that the whole objective of a fixed election date was to level the playing field to everyone and given that the Premier speaks about the value of fairness and the value of being open and transparent, why will this Premier refuse to adhere to these important Alberta values in telling all Albertans the exact day today?

**Mr. Horner:** Well, Mr. Speaker, I think I just told him when the election is going to be. I would suggest that the hon. member get prepared and goes and talks to some of his constituents. I think they miss him.

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

**Mr. Boutilier:** Thank you, Mr. Speaker. That's going to go over big. I can see that the Deputy Premier isn't in a very springtime mood, so I guess the only question left to ask that really is to the spirit of the Premier, from what I observe here today, is: why is she so afraid of being up front with Albertans with her secret election date?

**Mr. Horner:** Mr. Speaker, I don't think there's anybody in this province today that doesn't know that the election is coming, and the actions that we've seen across the floor would certainly indicate that we are in silly season.

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

### Donations to Political Parties

*(continued)*

**Ms Notley:** Thank you, Mr. Speaker. Between 2007 and 2010 Grande Prairie Regional College illegally purchased tickets for board members to a Conservative fundraiser. Now, on December 15, 2011, this Premier's cabinet reappointed three people who sat on the board of the college at the time these illegal donations were made. My question is to the Premier, in the words of her mentor, Mr. Mulroney. Premier, you had an option to say no, and instead you chose to say yes to the old attitudes and the old ways of your party with these reappointments. Why?

**Mr. Horner:** Well, Mr. Speaker, perhaps the minister of advanced education might want to supplement this, but as I understand it, any political donations that have been found to be illegal or have been received in not following the rules have been returned, and that would be for any party in this Legislature.

**Ms Notley:** Well, Mr. Speaker, given that the Premier chose to say yes to patronage and reappointed three board members suspected of illegal donations to that party and given that, if I may say so, that's not good enough for Albertans, will this Premier apologize for reappointing people who oversaw illegal donations to her party?

**2:10**

**Mr. Horner:** Mr. Speaker, I had the privilege and honour of serving the people of Alberta as the minister of advanced education some time ago, and I can tell you that the number of people that volunteer their time to sit as the governing boards of our postsecondary institutions are of the highest calibre and of the highest ethical standard. I don't agree with this hon. member.

**Ms Notley:** Well, given that this government appoints the boards of major postsecondary institutions throughout Alberta and given that this government is well known for appointing Conservative donors and operatives to these sorts of posts, why won't this government admit that it's created a patronage ring that's fed money back into Conservative coffers from public institutions for years?

**Mr. Horner:** Mr. Speaker, again, I will not stand in this House and allow disparaging remarks to be made about the character, the ethics, or the moral values of people who have volunteered their time to serve this province on the boards of governance of our postsecondary institutions, which, I might add, are the best campuses in the country, perhaps even the world.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by the hon. Member for Calgary-Foothills.

### Physician Services Agreement in Principle

**Dr. Swann:** Thank you, Mr. Speaker. My questions are for the minister of health. Today the minister announced an agreement in principle with the troublesome Alberta Medical Association on the eve of an election. After the Premier and minister betrayed all health workers by reversing their decision to hold a public inquiry into intimidation, the minister further insulted physicians by imposing a one-year wage scheme, which has now been withdrawn, now a clear and desperate attempt to buy their silence. To the minister: why was Alberta Health Services not party to this agreement?

**Mr. Horner:** Mr. Speaker, the agreement that we have with the physicians is one that has been negotiated for more than a year. Currently we're past that year period of time. We are very pleased that we have been able to come to an agreement in principle. This is an agreement in principle. We believe, on this side of the House, that this is working together with those health care professionals in the system to help us fix what is wrong in the system and move forward. We think this is a good deal for Albertans and for the doctors.

**Dr. Swann:** Alberta Health Services is also asking physicians to sign contracts that include dismissal without cause. Is this going to improve relations with their employer?

**Mr. Horner:** Mr. Speaker, the hon. minister of health and the president of the AMA had a very effective news conference this morning, I believe. I think what they talked about is that the relationships between the physicians, AHS, and this government are very good and that we're going to work on how we can better

the system, the publicly funded system of health care in this province.

**Dr. Swann:** Mr. Speaker, Alberta Health Services announced that their quarterly report is being delayed by the minister till May or June. Why are you postponing this required reporting till after the election?

**Mr. Horner:** Mr. Speaker, I would have to take that one under advisement because I'm not aware of what the reasons would be around that. Certainly, we would be able to provide that answer, I'm sure, in the forthcoming days, weeks.

**The Speaker:** The hon. Member for Calgary-Foothills, followed by the hon. Member for Calgary-*Buffalo*.

#### **AIMCo Investment in Viterra Inc.**

**Mr. Webber:** Thank you, Mr. Speaker. There are many news reports out there today about AIMCo's involvement in the Viterra deal, and it is my understanding that AIMCo is a large shareholder in Viterra. Could the Minister of Finance confirm this and advise this House to what extent AIMCo is involved?

**Mr. Liepert:** Mr. Speaker, the member is correct that this was a major transaction that occurred. I'm not in a position to talk about what the impacts are of the purchase by Glencore International out of Switzerland relative to the agricultural aspects of the deal. It does include Agrium, which is based out of Calgary, and the Richardson grain company out of Winnipeg, and it was approximately a \$6 billion deal. AIMCo is a shareholder of about 17 per cent of Viterra stocks.

**Mr. Webber:** To the same minister, then. I do recall that last year AIMCo did question the abilities of the Viterra board of directors and the board's commitment to seek shareholder input. Now, did that have any bearing on this sale?

**Mr. Liepert:** Well, it's hard to tell, Mr. Speaker, whether it had any bearing or not. It's probably unlikely because it was November of last year that AIMCo questioned the, I guess, abilities of the board of directors of Viterra around taking shareholder input. In response AIMCo was given one board member, so it's unlikely that having one board member would have significantly influenced the deal.

**Mr. Webber:** To the same minister again, then. This is a large deal, Minister, reportedly \$6 billion. Is that right, \$6 billion? Could the minister explain to this Assembly, if the deal goes through, what Albertans stand to gain through AIMCo's investment in Viterra?

**Mr. Liepert:** That's correct, Mr. Speaker. The reported transaction was \$6.1 billion. As I said, AIMCo holds about 17 per cent of the shares in Viterra. Those shares were purchased several years ago at approximately \$8 per share. The closing deal was \$16.25 per share. I'm told that the projected net gain on behalf of AIMCo on behalf of Albertans is going to be in the range of about \$400 million.

#### **Home-schooling**

**Mr. Hehr:** In Alberta we have programs of study guidelines that establish a curriculum that every student, regardless of how they are educated or where they are educated, is required to follow. To the Minister of Education: given that the minister stated that there

is nothing more important to him than giving parents choice to teach what they want, when they want, and where they want, is the minister saying that home-schoolers no longer have to follow the curriculum?

**Mr. Lukaszuk:** No, Mr. Speaker, I didn't say that. The programs of study guideline is just that. It's a guideline that gives educators, no matter in what setting, the guideline on what children should be covering by way of the course of study. But that doesn't mean that they have to adhere to the Alberta curriculum. The Alberta curriculum is a very well-put-together package of materials that children cover. The guideline is a guideline that could be interpreted by parents or other educators and used with supplemental programs of study.

**Mr. Hehr:** Well, to the same minister: will the minister continue to uphold the Alberta curriculum, which teaches evolution, the Holocaust, climate change, and racial and sexual orientation tolerance?

**Mr. Lukaszuk:** Mr. Speaker, the member knows the answers very well, but I will definitely address them. In our schools run by boards and in our public education system all the schools adhere to the Alberta curriculum, which teaches exactly what the member indicated. However, parents in this province, not only in schools but also in home-schooling, have the choice of exempting their children from certain programs of study. We support parental choice. In a home-schooling setting parents have to adhere to the guidelines of what ought to be taught, but they do it within their own needs.

**Mr. Hehr:** So now just to be clear, Mr. Minister, will home-schoolers no longer have to follow the Alberta curriculum when they are teaching at home? Just to be clear.

**Mr. Lukaszuk:** Well, that member is clear, and I'm sure he knows the answer to the question. Alberta home-schoolers do not have to cover the Alberta curriculum, but they do have to cover the recommendations of what ought to be taught. Those are just recommendations, and they're open to interpretation. The fact is that Alberta home-schoolers can develop their own programs of study. If there are any aspects of the Alberta curriculum that they feel are not meeting their personal values or religious beliefs, they can exempt their children from having to learn those subject matters.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by the hon. Member for Calgary-*Buffalo*.

#### **Affordable Housing**

**Mrs. Leskiw:** Thank you, Mr. Speaker. I know that rent supplements are helping to keep a roof over the heads of many Albertans. Many of my constituents in Bonnyville-Cold Lake have expressed their concerns about the need for more affordable housing, which is why the ongoing talk about wait-lists for these supplements is so concerning. Could the Minister of Municipal Affairs explain why we continue to have wait-lists for this important housing support?

**Mr. Griffiths:** Well, Mr. Speaker, Alberta is not alone in its challenges to provide housing for low-income Albertans, but we do a great job, and we meet the challenge head on. We work with households and our local housing authorities to provide rent supplement supports to 12,000 households every month. We have

a couple of hundred households that move back to paying full rent supports to the private sector every single month. Then from those that are on the waiting list, we help those most in need. Not everyone on the list is in critical need. We focus on critical needs.

2:20

**Mrs. Leskiw:** To the same minister. For those who are not deemed most in need and first in line for support based on the assessment, what is being done to help address the growing need for housing support for those who are waiting for help?

**Mr. Griffiths:** Well, Mr. Speaker, rent supplements are just one type of support that we provide to those that are in need. We provide stable homes through 26,000 government-owned homes, which range from seniors' single-unit dwellings to multiunit dwellings to community dwellings. Through our capital funding partnerships we have created 12,000 housing units in this province to help make sure that those who are in need have housing available to them.

**Mrs. Leskiw:** I can appreciate that funding for more than 12,000 affordable housing units is a significant investment, but given existing wait-lists can the minister explain how any of that can possibly alleviate current and growing needs?

**Mr. Griffiths:** Well, Mr. Speaker, when the commitment was first made to build those 12,000 housing units back in 2007, it was a \$1.15 billion investment. We had 4,000 units built up front, and we had another 4,000 come on line. Even though the money is committed, we still have 8,000 units yet to be built. On top of that, in this budget and for the next three years we have \$40 million going to build more affordable housing plus the investment of \$260 million in the rejuvenation of the 26,000 housing units in this province. That's the best investment anywhere in Canada. [interjections]

**The Speaker:** I'm going to recognize a member, and I'm going to ask all other members to listen to the response. Let's just try it to see how it works.

#### Collection of School Fees

**Mr. Hehr:** Mr. Speaker, I was appalled this week to learn that for decades school boards across this province have had the right to send collection agencies after parents for not paying their school fees. To the Minister of Education: why has your department allowed school boards to take this type of action against parents who are just able to keep their heads above water?

**Mr. Lukaszuk:** Mr. Speaker, the Minister of Education doesn't allow or disallow. The boards are actually composed of locally elected trustees. It's the parents that actually form the boards by electing the trustees. Duly elected officials, being trustees, make local decisions. The parents, I imagine, must be supportive of it because those are the trustees that have been elected by them.

**Mr. Hehr:** Mr. Speaker, as the minister knows full well, he's in charge of Alberta Education. Will he stop this practice immediately and, in fact, eliminate school fees altogether in Alberta schools?

**Mr. Lukaszuk:** Mr. Speaker, I have a feeling that this member wants to go a little bit further than that because when you take his last couple of dozen questions from question periods, he probably wants me to eliminate school boards. That's where he is heading. We're not going to go there. Locally elected officials make local

decisions, and they report to their electorate, the parents of that particular region. [interjections]

**The Speaker:** Hon. member, I'm still going to recognize you, but, boy, my plea didn't last very long, did it?

**Mr. Hehr:** Actually, Mr. Speaker, I will ask the minister directly what I'd like him to do: eliminate school fees and stop sending collection agencies after parents who can't afford to pay them.

**Mr. Lukaszuk:** Mr. Speaker, this government and this ministry send no collection agencies after anybody. Those collection agencies, if indeed they're being sent, are being sent by local school boards. Let's get this straight.

Let's also get another thing straight. I have already indicated I will be reviewing the structure of fees, and we will be making a determination in this province on what fees are and what fees aren't appropriate.

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

#### Fort Saskatchewan Community Hospital

**Mr. Quest:** Thank you, Mr. Speaker. The people of Fort Saskatchewan in northern Strathcona county are pleased that we were able to have a ceremony marking the transfer of the Fort Saskatchewan community hospital from Alberta Infrastructure to Alberta Health Services. To the Minister of Infrastructure: when will the new hospital open for families in these regions?

**Mr. Johnson:** Mr. Speaker, this is a great-news story, the Fort Saskatchewan hospital. I was on the site on Friday with the Minister of Health and Wellness and the local MLA for Fort Saskatchewan-Vegreville, and we handed over the keys for the hospital, which is now complete, to Alberta Health Services. It's a beautiful facility; we toured it. Alberta Health Services will be stocking supplies in there, training staff, and it'll be open to patients next month.

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

**Mr. Quest:** Thank you, Mr. Speaker. My second question is for the Minister of Infrastructure again. We know this is a local hospital in Fort Saskatchewan, but what need does this hospital fill in the greater Edmonton capital region, and what other hospitals are in progress right now?

**Mr. Johnson:** Mr. Speaker, this hospital is a good-news story not just for Fort Saskatchewan but the entire area and will serve all the communities on the edge of the Industrial Heartland, which have seen some great growth. The new hospital is about triple the size of the old one. If you were in the old building, you knew for years that they desperately needed a new one. It's another piece of the government's plan to give Albertans effective and accessible health services close to home. It's just one of about 30 projects, worth about \$4 billion, that we have on the go, including High Prairie, Grande Prairie, Calgary, and Sherwood Park.

**Mr. Quest:** My final question to the Infrastructure minister, Mr. Speaker. This hospital will be a legacy into our future. What positive impacts has the actual construction of this building already had during this recent global recession?

**Mr. Johnson:** Mr. Speaker, it is a legacy, and so is the overall investment we're making in infrastructure, especially coming

through a time when the global recession affected jobs. One of the great things we've been able to get out of that is to keep people working in this province. At its peak 150 skilled labourers were working on this job in particular. But the approximately \$6 billion, \$7 billion we're spending a year is keeping about 70,000 Albertans working, getting us excellent prices in the marketplace. We're doing that infrastructure at a time when we need that foundation for our economy going forward.

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

#### Long-term Care Accommodation Rates

**Ms Notley:** Thank you, Mr. Speaker. Yesterday the Premier said, "There has been no discussion or commitment of any kind with respect to removing the cap on seniors' accommodation." However, in her leadership campaign platform she stated that she would incentivize private developers to build long-term care beds by, quote, removing the cap on housing costs for seniors at continuing care centres. End quote. To the Premier: will you correct the record and admit to Albertans that you ran on a platform of removing the cap from seniors' long-term care?

**Mr. Horner:** Mr. Speaker, I think the Premier was quite clear with her answer yesterday, and I think that should stand in *Hansard*. I also believe that the hon. Minister of Seniors has also been very clear that there is a process that would be followed if there was ever a time to go there. I think the Premier was pretty clear with her answer yesterday.

**Ms Notley:** Mr. Speaker, in fact, the Premier was very unclear. This Premier has broken many promises, and I think this is one that Albertans actually want her to break.

Given that the Minister of Seniors is on the record saying that over the last four months he has been reviewing the benefits and the impacts of removing the cap and he said that he will not remove it until there has been a debate over the next 12 months, will the Premier apologize for providing incorrect information to this House yesterday and either guarantee that the long-term care fee cap will not be removed in the next four years or come clean . . .

**The Speaker:** The hon. Deputy Premier.

**Mr. Horner:** Mr. Speaker, I would encourage this hon. member and all Albertans to check *Hansard* yesterday as I know many people use that as a resource to verify what some hon. members think they may have said or some hon. members think someone else may have said. Certainly, I'm not sure that I could understand from that question whether she was for removing the caps or not for removing the caps, but I think the question and answer in yesterday's *Hansard* would clarify it for her.

**Ms Notley:** Mr. Speaker, the Premier put it in her document, her platform, and the Minister of Seniors has talked about it.

Given the disturbing number of incidents of abuse in our seniors' care homes and given that the satisfaction with the quality of care is shown to be less in private facilities than in centres that are publicly run, will the Premier back off her plan to incent more private-sector involvement through seniors' pocketbooks by removing the cap and instead commit to building much-needed affordable, quality, publicly run long-term care centres?

**Mr. Horner:** Mr. Speaker, yesterday the Premier was again very clear. We are going to build the appropriate care for seniors in this

province so that they can retire and live in dignity, so that they can have the respect and care that they need in this province. The Minister of Seniors and the Premier are on record as saying that that's what this government will do. In fact, the budget that we passed last night in this Assembly is going to do exactly that.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Lesser Slave Lake.

#### Residential Construction Standards

**Ms Blakeman:** Thank you very much, Mr. Speaker. We keep hearing that the government will eventually introduce new homeowner protection measures. My questions are to the Minister of Municipal Affairs. Can the minister explain how the set of proposals that he has been going on about forever would have actually helped the owners and renters of Penhorwood building in Fort McMurray, Bella Vista in Calgary, Rosedale Court here in Edmonton, and Bellavera Green building in Leduc?

**Mr. Griffiths:** Mr. Speaker, I've been very clear that when the new home warranty is introduced, the entire purpose of it is not to make sure that people just have coverage but, rather, to increase the quality of the building that's done in this province. In every other jurisdiction we've researched, that's been the case, and that will be the case when we introduce our new home warranty legislation.

2:30

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

**Ms Blakeman:** Thanks very much, Mr. Speaker. Well, back to the same minister: could the minister please tell this Assembly how his mandatory home warranty program for Alberta stacks up against the Alberta Liberal plan to cover three years on defects in materials and labour, five years on defects in the building envelope, and 10 years on structural defects?

**Mr. Griffiths:** Mr. Speaker, I believe I'd be breaking this House's conventions if I pre-empted that by describing exactly what the legislation would say, but I can tell the member that we have consulted with industry, which they failed to do, and ours will only create a marginal cost, less than half a per cent on the average house, while their projections, from what I can see, could cost the average homeowner thousands and prevent them from even buying a new house. That's why we did the consultations, to get it right.

**Ms Blakeman:** Have you been stalking me that you know who I meet with or don't meet with?

Back to the same minister. It took a massive leaky condo disaster in B.C. to get legislation put in place in 1997. Now, Alberta has had four large projects with various code violations and repairs needed, so how many more failures will this government accept and allow before we get some action out of it?

**Mr. Griffiths:** Mr. Speaker, I can assure this member that I have no idea what she does when she leaves this House, and I don't care.

We have worked very hard over the last couple of years to go through a process where we consult with all the stakeholders so that we can get some meaningful legislation, but I'll tell you what. It is already against the law in this province to build buildings that don't meet the building code standards. That would happen regardless of any home warranty. It's against the law, Mr. Speaker.

**The Speaker:** I hope there's absolute clarification. There was a suggestion made there about stalking going on, and I hope there was an absolute, clear denial of such occurring.

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

### Electricity Prices

**Ms Calahasen:** Thank you, Mr. Speaker. Power prices have gone up, and this government has little to show for it except a freeze on our power bills, so help me explain to my constituents, Mr. Minister of Energy. These constituents want predictable bills at fair prices, so what's going on?

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

**Dr. Morton:** Thank you, Mr. Speaker. As I've said before, Alberta prices are fair, and they are competitive. They've averaged 8 cents a kilowatt hour over the last five years, which is competitive with jurisdictions that don't have large hydro, like us. They were higher in January and February, but I'm happy to report that in March the regulated rate option is back down to 8 cents, and we've appointed a committee to review that variable rate option to reduce volatility in cost.

**Ms Calahasen:** Well, the minister has spoken about public debt held by other provinces with the utilities, so to the same minister: can you explain what that has to do with my constituents, who are trying to manage high power bills?

**Dr. Morton:** A very good question, Mr. Speaker. In Alberta you only pay once for electricity on your monthly bills. What we see in other provinces like Ontario with Crown-owned utilities is billions of dollars of debt, actually \$62 billion in Ontario. So in Ontario they're not only paying their monthly bills, but then in their yearly taxes a portion of their taxes is going to retire that debt. Let's be very clear. In Alberta you only pay once. In Ontario they're paying twice.

**Ms Calahasen:** Then my last question goes to the same minister. How can you assure this House, especially my constituents, that the cost of a new upgraded electricity grid ultimately paid for by consumers will be a benefit to all consumers?

**Dr. Morton:** Mr. Speaker, our goal in electricity is twofold. We want to make sure the electricity is there when you need it, when you hit the switch and, secondly, that it's affordable. In terms of need the size of this province has doubled since we last reinforced the north-south grid. Transmission is a bit like life insurance. When you realize you need it, it's too late. Alberta is not going to be too late on the electricity file. In terms of cost we're going to keep costs down by ensuring that the payment for this four-decade infrastructure is spread out over four decades and is not front-end loaded on today's users.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by the hon. Member for Dunvegan-Central Peace.

### Long-term Care Serious Incidents (continued)

**Mrs. Forsyth:** Thank you, Mr. Speaker. It's shocking to hear about the large number of cases of elderly and disabled abuse that is occurring in our own government. Over a thousand cases of abuse since 2005 were discovered after a FOIP request, and how does the Seniors minister respond? He claims responsibility for

asking them to call in their complaints. What the heck did they do before he told them to call? This isn't the answer that Albertans want or expect. They want accountability, and they want transparency. Why does the Seniors minister keep hiding these numbers from the public?

**Mr. Horner:** Mr. Speaker, it is mandatory under the Protection for Persons in Care Act that all of these cases would be reported. All of them are taken seriously, and my understanding is that where appropriate, investigations and actions are taken.

**Mrs. Forsyth:** Given that last year the Premier promised to enact whistleblower legislation that would increase accountability throughout government, including our group homes, can the Seniors minister explain why this promise was broken, or is it not a priority for government?

**Mr. Horner:** Actually, Mr. Speaker, as the minister responsible for corporate human resources, we are in fact reviewing our process and reviewing the steps that can be taken by employees should they desire to report something that they feel is inappropriate. We will be looking at that as the season moves forward and look forward to perhaps bringing legislation in the near future.

**Mrs. Forsyth:** Given that your government has manipulated the long-term care bed numbers and given that you are on record for saying that there were 22 fatal accidents or injuries last year in group homes but now you're saying there were only five, can the minister get his own facts straight and give us the real answers?

**Mr. Horner:** Well, Mr. Speaker, I'm sure the Minister of Seniors will be keen to review the *Hansard* of that question because the preamble is obviously wrong. I do not believe that anyone has manipulated any figures in this House. If the hon. member believes that to be true, there is a process, which she's very well aware of, given her many, many years of service in this Assembly, around a point of privilege, and she should call one if she believes it.

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

### Agriculture Financial Services Corporation

**Mr. Goudreau:** Thank you, Mr. Speaker. Alberta farm producers make incredible investments and take great risk to ensure that Albertans, Canadians, and those around the world have access to safe, high-quality food. For them to accomplish this, they often need help to grow and manage their operations and to continue to be competitive in the global market. My question is to the Minister of Agriculture and Rural Development. Could he tell us what he's doing to support these important Alberta producers?

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

**Mr. Berger:** Thank you, Mr. Speaker. Agriculture Financial Services Corporation offers the most comprehensive and innovative lending and risk management programs in Canada. Demand for these loans has grown to nearly \$500 million per annum, and I'm proud to say that on Monday we announced a new revolving loan program for agricultural producers and the agriculture industry.

**Mr. Goudreau:** Mr. Speaker, my second question is to the same minister. You've just announced a revolving loan program. What is the difference between this program and the traditional term loan programs that you've had?

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

**Mr. Berger:** Thank you, Mr. Speaker. The difference is that this was developed with client and industry input. The revolving loan program offers competitive rates that can be set for one, two, or three years. Clients control when they wish to access the funds. They can reborrow the funds for operating that they've already paid back. They have the control to make this work for their specific operation. It's a very valuable tool.

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

**Mr. Goudreau:** Thank you, Mr. Speaker. My final question is again to the Minister of Agriculture and Rural Development. Besides these loans, what other services can our producers expect from Agriculture Financial Services Corporation this year?

**Mr. Berger:** Mr. Speaker, through current and legacy programs that AFSC has been offering since 1972, we've been working with commercial and agribusinesses to meet their needs. AFSC not only continues to provide agriculture insurance, agriculture stability, income stability, and financial services; it also supports the development and expansion of agriculture. Alberta has the best risk management programs available in Canada, which is perfectly matched with the best producers in Canada, right here in Alberta.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Leduc-Beaumont-Devon.

2:40

### School Capital Construction

**Mr. Kang:** Thank you, Mr. Speaker. A new P3 school in the west end of Edmonton is already grossly overcrowded, but its contract with its private maintenance company doesn't allow any new portables. This means students will now have to be bused to other schools. Parents are baffled as to why the school can't add only four extra portables to an existing school to meet demand. To the Minister of Infrastructure: how can the minister justify entering into a contract with a P3 operator that doesn't allow extra portables to be added when needed?

**Mr. Johnson:** Mr. Speaker, I need to clarify the issue that we've got at this school in particular. I sympathize with the parents and the students, and we want to provide the best possible environment we can for every student. The P3s are a procurement option. They're not the design and the management, necessarily, of the building in terms of the capacity. We were asked to build a building to a capacity of 600 students. That area has grown. The capacity now is 700. That's what the need is, 750. That's the real problem.

**The Speaker:** The hon. member, please.

**Mr. Kang:** Thank you, Mr. Speaker. To the same minister again: assuming that a contract that doesn't allow for a simple, cheap, and needed addition to a school is another supposed P3 cost saving, can the minister tell us how much will be saved by having to unnecessarily bus children to other neighbourhoods every day for years on end?

**Mr. Johnson:** Mr. Speaker, let me just elaborate on the previous answer. When we're asked to build a school, the core can only have a capacity for so many kids. The administrative area, the libraries, the washrooms, all those kinds of things can only have so many children. We can add modulars onto schools, but once the core is full, we can't add more modulars because the core can't

take more kids. Those are fire code issues and other things that need to be considered.

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

**Mr. Kang:** Thank you, Mr. Speaker. To the same minister again: given that Alberta Liberals have been pointing out P3 failures across Canada over a decade, will the minister admit that P3s are too restrictive and expensive over the long term and commit to the public construction of public schools?

**Mr. Johnson:** Mr. Speaker, it's the same answer we've had in this House before, sir. P3s are not right for every community, for every school, but one thing they have been able to do is deliver a lot more schools a lot less expensively and faster and with certainty on the cost for maintenance so that that school has a warranty for 30 years. That's good news for students. That's good 33news for Alberta.

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

### Community Spirit Program

**Mr. Rogers:** Thank you, Mr. Speaker. The nonprofit sector provides valuable support to Alberta's communities. Government can't go it alone. However, our nonprofit and charitable organizations have struggled due to the slow recovery of our economy and with the ever-rising costs to deliver programs and services and people not finding the time to fit volunteering into their busy lives. To the Minister of Culture and Community Services: what is the minister doing to help this vital sector?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. This is an area that's very near and dear to my heart. We know the vital role that nonprofit, voluntary groups play across Alberta. In fact, Statistics Canada has released preliminary results from a survey on volunteerism, which reaffirms that Albertans are leaders when giving to volunteerism. We've had an increase in the volunteer sector of about 7 per cent. That's not to say that there aren't challenges, but it's a conversation we're having, which began at the Culture Forum 2012.

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

**Mr. Rogers:** Thank you, Mr. Speaker. Again to the same minister. Madam Minister, your ministry offers the community spirit program. Is this program really making a difference?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. This program is indeed having an impact, and we continue to receive great feedback. A survey of the nonprofit and voluntary sector groups that have applied to it have approximately a 95 per cent rate of support for this. Over the past three years more than 5,000 grant recipients have shared about \$52.9 million.

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

**Mr. Rogers:** Thank you, Mr. Speaker. Again to the same minister: Madam Minister, it sounds like this program has been oversubscribed, and if so, what are you doing to alleviate this?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. We know this program is becoming much more well known. In 2008-09 there were 1,592 applications; in '11-12 there were about 2,170. That is an increase of 27 per cent. We know there is much more conversation about this program, but the beauty of this program is that the dollars get back to some of the smaller groups versus some of the larger groups.

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

### Electricity Prices (continued)

**Mr. MacDonald:** Thank you, Mr. Speaker. A former Conservative Party member who is totally disgusted with this government's electricity deregulation policy provided to me – and I really appreciate it – the issue brief that the government is planning on using to try to get through this next election, defending their public policy on electricity. One of the responses in this document indicates, and I quote: consumers have options; sometimes consumers in other provinces do not. Given that a member of a rural community . . .

**The Speaker:** The hon. minister, please. [interjection] The hon. minister, please.

**Dr. Morton:** Mr. Speaker, we're actually quite proud of the fact that in Alberta electricity consumers do have choices. You can have the variable rate. You can go and get your equal payments based on 12 months, or you can get a fixed rate from 11 different providers. I think Albertans value that choice, and we're proud that we offer it.

**Mr. MacDonald:** Given that yesterday – and I quote to the hon. Minister of Energy – a couple running a small family farm said that it's getting to the point where both parents have to go to work, and one of the reasons is to pay the power bills, is that a good option for consumers in rural Alberta because of your failed electricity deregulation policy?

**Dr. Morton:** Mr. Speaker, we're very aware of the hardships from the high electricity prices charged in January and February. That's why we've appointed a committee to review it. That's why we've frozen the ancillary charges right now. I'm happy to report – and this hon. member knows it well – that the average price, the price for the variable rate for March, is back down to about 8 cents, which has been the five-year average.

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

**Mr. MacDonald:** Thank you. Again to the same minister, Mr. Speaker: how can the Minister of Energy prance around the province on behalf of the government of Alberta and say that there are no subsidies ever given in this province on deregulation when in the year 2000 \$1.5 billion was provided in subsidies?

**Dr. Morton:** Mr. Speaker, it's been a long time since I pranced around the province, and I wasn't here in 2000, but in case I don't get another opportunity, I'd like to say goodbye to the hon. Member for Edmonton-Gold Bar and thank him for the many good conversations and exchanges we've had over the years.

**The Speaker:** Hon. members, 19 hon. members were recognized today. There were 114 questions and responses.

We're now going to continue the Routine, and we're going to come up against the 3 o'clock rule. We're going to continue now with Members' Statements.

## Members' Statements

### Villa Marie Continuing Care Centre

**Mrs. Jablonski:** Mr. Speaker, who would have thought that 300 years ago the actions of 19-year-old Marie Louise Trichet, who dedicated her life to nursing the sick, giving food to the poor, and managing a hospital in a small French village, would have a huge impact on the lives of the people of Red Deer, Alberta? Who would have thought that a hundred years ago when Sister Marie Agathe came to Red Deer to educate the children, she too would have a huge impact on our central Alberta community?

Well, 300 years ago Marie Louise Trichet founded the Daughters of Wisdom, a congregation of Catholic nuns established for the teaching of children and the care of the poor. Over a hundred years ago Sister Marie Agathe and the Daughters of Wisdom founded the Red Deer regional Catholic school system and Our Lady of the Rosary hospital in Castor.

Today, 300 years after Blessed Marie Louise founded the Daughters of Wisdom and a hundred years after Sister Marie Agathe arrived in central Alberta, Covenant Health is honouring their memory and their great works by naming Red Deer's new 100-unit continuing care centre Villa Marie. Covenant Health in partnership with Alberta Seniors, Alberta Health and Wellness, and Alberta Health Services will start the construction of Villa Marie in April this year. Villa Marie will be one of two demonstration sites that will provide a continuum of care in one location from basic supportive living to long-term care, allowing our seniors to age in place as their health needs change.

Villa Marie is part of the government's commitment to build 1,000 seniors' assisted living units each year. Mr. Speaker, I'm proud of the government's commitment to our seniors, and I'm proud of Villa Marie, our new seniors' care centre in Red Deer, that will carry on the 300-year-old mission of caring for others with dignity and love, with fidelity and tender compassion. Congratulations to Covenant Health. We look forward to the day that Villa Marie opens.

Mr. Speaker, I wonder if any of us will be remembered 300 years from now.

**The Speaker:** The hon. Member for Calgary-Fish Creek.

2:50

### Integrity in Government

**Mrs. Forsyth:** Thank you, Mr. Speaker. Soon in this province Albertans will be heading to the polls, and we'll be able to see democracy in action. The word "democracy" itself means government by the people and for the people, not what the Premier thinks is best for the people. People wanted a fixed election date, and the Premier promised one, to be set in March 2012, back in September, when she was trying to get votes. Instead, she backpedalled, and today we're still trying to guess when the election will be.

Last year the Premier promised new whistle-blower legislation to encourage government workers to speak out about waste, fraud, or abuse in government. Well, here we are today with no legislation and no answers to the waste, fraud, and abuse in government.

On health care people expected and wanted a health inquiry that included investigating the intimidation of doctors. The Premier even said that an inquiry would have to include doctor intimidation and alluded to it more than once over the past several months. Instead, she broke yet another promise and is asking doctors and our other health professionals to take a back seat by ignoring the will of the people.



Is this what the Premier calls real-life leadership? I can tell you one thing for certain, Mr. Speaker. Albertans aren't interested in that type of leadership, leadership that doesn't listen to the people and breaks promises, leadership that says one thing but means another. Instead of building on a province that prides itself on being strong and free, the Premier is looking increasingly weak and controlling. We're starting to hear across the province that people feel this Premier can no longer be trusted because she no longer trusts the will of the people. She has forgotten that it is the people that are in charge and not the PC Party. Soon it will be time for the people to choose and no longer for the Premier to choose for the people.

**The Speaker:** The hon. Member for Grande Prairie-Wapiti, followed by the hon. Member for Highwood.

#### **Alberta Association of Municipal Districts and Counties**

**Mr. Drysdale:** Thank you, Mr. Speaker. The Alberta Association of Municipal Districts and Counties, or AAMD and C, is an independent association comprised of Alberta's 69 counties and municipal districts. Since 1909 the AAMD and C has assisted rural municipalities in achieving strong and effective local government through advocacy, communication, education, and the provision of business services. They are a forward-thinking association made up of elected rural councils working to represent the interests of rural Albertans and to meet the diverse and changing needs of its membership.

The AAMD and C works hard to raise awareness of the particular challenges and opportunities available to rural municipalities. The government of Alberta and, in particular, ministries like Municipal Affairs, Service Alberta, Agriculture and Rural Development, and others have worked with them on issues as far ranging as pest management, weed control, utility services, and the development and funding of high-speed Internet access for our rural communities.

I was recently made aware that the rural municipalities retain 90 per cent of the land mass that is home to the resources and industries that form the backbone of Alberta's economy. However, rural municipalities are also responsible for 97 per cent of municipal roads and 90 per cent of municipal bridges. That is a lot of infrastructure and services to deliver to these small but hard-working communities throughout our province, with essential needs that the AAMD and C tirelessly advocates for the betterment of their communities.

In Alberta we're proud that our province got its start from a foundation based on a rural way of life in a land of great opportunity. These municipal districts and counties truly blend heritage with innovation and industry, and our government will continue to work together with AAMD and C to enhance and support their efforts in the delivery and provision of infrastructure services.

#### **Highwood Constituency**

**Mr. Groeneveld:** Mr. Speaker, in my time representing Highwood, which contains the great municipalities of Longview, High River, Okotoks, and the MD of Foothills, our government has invested in the future of our communities by building infrastructure and supporting innovation. We have also invested in making our school system the best in the world for our children, we have invested in health care to make sure the system is there for all when they need it, and we have invested in creating safer

communities through not only policing but through progressive programs.

Mr. Speaker, we are proud of these investments. A great example is the town of Okotoks. Our contribution there has grown from \$8.6 million to \$23 million in 2010. Our partnership with municipalities has paid real dividends. Stable, predictable funding is what is needed to be able to continue building important infrastructure. Our mayors, reeves, and councils have told us this, and we have delivered. Our government works hard every day to help build Highwood communities so that they are able to provide the services we need. Our government's policies have delivered for Highwood. I am proud of what our government's vision has done for Highwood.

Make no mistake, Mr. Speaker; Highwood is and, if I have my way, always will be Tory blue. I can see why the leader of another party would be tempted to parachute into the most progressive and fastest growing constituency in Alberta. But we in Highwood are a tight group, and we look after our own. In the past 76 years all our MLAs are or have been long-time residents of Highwood. The current PC candidate is no different, having lived in High River-Okotoks for 20 years. He knows the issues. His opening line is not: I've been told. I can tell you that the people in Highwood understand that cut and slash, repeal, repeal, repeal is not the answer.

In Highwood we like to live in the best constituency in the best province in the best country in North America. Mr. Speaker, we will keep Highwood blue. To the constituents of Highwood: thank you.

**The Speaker:** The hon. Member for Rocky Mountain House.

#### **Rural Integrated Community Clerkship for Physicians**

**Mr. Lund:** Thank you, Mr. Speaker. I'm pleased to rise today to highlight the success of the Alberta faculties of medicine rural integrated community clerkship. Dr. Doug Myhre and Dr. Jill Konkin oversee the rural ICC program as it integrates medical students into rural settings to provide a unique learning experience that cannot be duplicated in the cities.

This presents an innovative approach to educating physicians by placing them with experienced rural family physicians for nine months of their third year of medical school at the U of A and the final year at the U of C. The goal of the program is to produce high-quality physicians with a good understanding and holistic approach to an undifferentiated patient. At the same time students participating in this program developed a deeper understanding and appreciation for rural life in general and through this understanding are more likely to return to this setting to practice.

Rocky Mountain House and Sundre are two of the 19 rural communities that host these bright young students for the faculty in Calgary. I would like to take this opportunity to thank the doctors who take on the extra work of being the mentors for these students.

There are 19 communities across the province involved between the two faculties. Our medical schools are active in rural medical education. The rural exposure is a valuable learning experience that cannot be duplicated in the cities. Students are given more exposure to delivering babies, treating wounds, stitching, and counselling those who are terminally ill or who have lost a family member.

Rural ICC is an efficient and effective program that builds on Campus Alberta. Students participate in online learning sessions to support what they learn in their communities. This program started five years ago in Sundre.

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

**Brenda Lee**

**Mr. Snelgrove:** Thank you, Mr. Speaker. Today I want to recognize someone who has been a very good friend of mine, who has been probably the most important person in my political career for the last 11 years. Her name is Brenda Lee, and she started working in the constituency office out in Vermilion 11 years ago and then came to Edmonton about six years ago.

She's an incredible individual who never asked anyone to do what she wasn't prepared to do herself. As you work with people that get to understand each other, sometimes it's said that they know what you're thinking. Well, Mr. Speaker, not only was she able to end the sentences I started; she could read my mind, and sometimes that's quite an interesting event in itself. More importantly, she could read my writing, which is quite an art in itself.

Brenda was never concerned about getting credit for getting things done. She was about getting it done. She treated the people that she worked with with respect, compassion, and understanding. She learned who to talk to in government. More importantly, she learned who to listen to in our constituency. She looked after their concerns, and I can't tell you the hundreds of times I was stopped on the street and thanked for something that I had nothing to do with but that the office had looked after.

Mr. Speaker, it is about relationships. In our office she took everyone under her wing. She wanted them to be all that they could be. She made people better, and it made her proud when they moved on to better positions within government and bettered their lives. She was also concerned about the other things in their lives and, whether it was babies or boyfriends or baseball or birthdays, she had a genuine concern about their lives after government and remains concerned about them today.

3:00

Mr. Speaker, whether I've had success or failure in government, it cannot be said that I have not had the best support possible. Missy Lee was simply the best, and to her husband, my friend Ed, who gave her so kindly for these 11 years, I want to say thank you, too.

I wish her all the very best in what she continues to do, and I can tell you that the people of Alberta have been well served by what she has done over the last 11 years.

Thank you.

**The Speaker:** Under Standing Order 7(7) I must now advise the Assembly that it is 3 o'clock.

**Mr. Hancock:** Perhaps the House would agree to unanimous consent to continue the Routine.

**The Speaker:** Such a request needs unanimous consent. Is anyone opposed to the Routine being concluded? If so, say no.

[Unanimous consent granted]

### Tabling Returns and Reports

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

**Mr. Hinman:** Thank you, Mr. Speaker. I have some petitions – but they didn't qualify, so they're tablings – from four more companies that are very concerned with the Alberta government and Industry Canada audit for funding CCI Wireless. The parameters of the goal of the Alberta government were to ensure that areas that were not receiving broadband Internet would. This

company has received \$30 million in order to put up towers in rural Alberta, but they're putting out aggressive advertisements saying that they'll buy back the other ones. They're concerned . . .

**The Speaker:** This is tablings.

**Mr. Hinman:** Yup. So I'll table these four more companies: SIS Systems, First Nations Technical Services Advisory Group, Whitecourt Communications, and Leon's Cat Service in Mayerthorpe.

Thank you.

**The Speaker:** The hon. Deputy Premier.

**Mr. Horner:** Thank you, Mr. Speaker. Earlier today in question period I made reference to an e-mail exchange from the hon. Member for Airdrie-Chestermere, requesting that the executive from the Athabasca University purchase tickets to the Wildrose Party Danielle Smith dinner, February 29, 2012, so just very recently. It talks about how the reception . . .

**The Speaker:** Okay. We're dealing with tablings.

**Mr. Horner:** I have the requisite five copies.

**The Speaker:** Thank you.

The hon. Minister of Education. [interjections]

**Mr. Lukaszuk:** I just couldn't believe what I'm hearing from the Deputy Premier.

**The Speaker:** Okay. Then somebody else.

Go, go, go.

**Mr. Lukaszuk:** Mr. Speaker, I'd like to table a number of letters in support of the passage of Bill 2. One is from the Alberta School Councils' Association, saying that this is a very solid piece of legislation that needs to be passed.

Another one is a media availability release by ASBA, urging the passage of Bill 2, the Education Act.

Another one is from the Public School Boards' Association of Alberta, their release as well.

The last one is from the Alberta Teachers' Association, urging all members of this Assembly to work collaboratively and pass the bill.

Thank you.

**Mr. Hehr:** Well, my first tabling is for the Leader of the Official Opposition. It's regarding his question in question period, and it's an article from the CBC where Alberta colleges and universities made illegal donations to the Tories. I have the requisite number of copies here.

I also have some tablings in regard to my question regarding the practice of families being chased down by bill collectors regarding unpaid school fees. I have reports from the Wetaskiwin regional public schools, Buffalo Trail public schools, Grande Yellowhead public school division, Elk Island public schools, and Parkland school division, all of which outline that practice, which has been in play for 10 years in this province.

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

**Mr. Chase:** Thank you, Mr. Speaker. I'm tabling a further 20 e-mails, out of the hundreds I've received, from the following individuals who are seeking the preservation of the Castle wilderness and who believe that clear-cutting will damage the ecology, watershed, wildlife, and natural species and must be

prohibited at all costs: Katherine Massam, Carl French, Maggie McBride, Sondra Oppedisano, Marc Barrette, William Prouten, Eric Burr, Peter J. Gauthier, Nicholas Read, Andrew Furlong, John Mynott, Randall White, Christine McLaughlin, Beth Ross, Lynn Shauinger, Mary Kelly, Alex O'Neil, Wendy Dionne, Cate May Burton, and Richard Clemens.

Thank you, Mr. Speaker.

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

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. I have two tablings today. The first series of tablings is the order in council that was discussed at the Members' Services Committee yesterday. This order in council rescinds Order in Council 240/2008 and Order in Council 606/2009, and they are regarding cabinet policy committees.

The second tabling that I have is some more information on the AIMCo Christmas party. This is the fourth annual magical holiday extravaganza, and I would urge all hon. members to have a squint through this.

Thank you.

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

**Ms Notley:** Thank you, Mr. Speaker. I have five tablings today. First, we have a bill from Wanda Webster of Stettler. For January 2012 her electricity energy charges were \$730.72.

My second tabling is from Patricia Withers of Calgary, who also sent in her Enmax bill from January 2012, where her charges were \$298.12.

My third is from Irene Froese of Camrose county. She had an electricity bill in the amount of \$338 in February 2012.

Finally, my fourth is from Andre Gelineau of Berwyn, who had electricity charges in January 2012 in the amount of \$203.91.

In addition, Mr. Speaker, I would like to table a compilation and the appropriate number of copies of 180 additional electricity bills, including 18 e-mails and 17 letters.

Thank you.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. VanderBurg, Minister of Seniors, responses to questions raised by Mr. Chase, hon. Member for Calgary-Varsity, Mrs. Forsyth, hon. Member for Calgary-Fish Creek, and Ms Notley, hon. Member for Edmonton-Strathcona, on February 21, 2012, Department of Seniors main estimates debate.

On behalf of the hon. Mr. Denis, Solicitor General and Minister of Public Security, responses to questions raised by Mr. MacDonald, hon. Member for Edmonton-Gold Bar, and Mrs. Forsyth, hon. Member for Calgary-Fish Creek, on March 5, 2012, Department of Solicitor General and Public Security main estimates debate.

On behalf of the hon. Dr. Morton, Minister of Energy, responses to questions raised by Mr. Hehr, hon. Member for Calgary-Buffalo, Mr. Mason, hon. Member for Edmonton-Highlands-Norwood, and Mr. Hinman, hon. Member for Calgary-Glenmore, on February 22, 2012, Department of Energy main estimates debate.

**The Speaker:** Hon. members, yesterday the hon. Deputy Speaker was in the chair when a purported question of privilege was raised in the Assembly and a debate ensued with it. I am going to remove myself from the chair at this point in time and invite the hon.

Deputy Speaker to come forward and provide his ruling on this matter.

[The Deputy Speaker in the chair]

### Privilege

#### Obstructing a Member in Performance of Duty

**The Deputy Speaker:** Well, as the Speaker said, yesterday afternoon while I chaired the Assembly, there was a question of privilege raised. I allowed several members representing each party to bring their points forward on the subject matter. I listened to those points attentively and at length. Today as the chair I am prepared to rule on the purported question of privilege raised by the hon. Member for Airdrie-Chestermere yesterday, March 20, 2012.

To put it briefly, the purported question of privilege is that the hon. Minister of Education interfered with the member's ability to perform his duties or interfered with his ability to perform his parliamentary work by making certain comments during a telephone conference with people other than the member on March 19, 2012.

The hon. Member for Airdrie-Chestermere provided notice to the Speaker's office at 11:22 yesterday morning before he raised the matter in the Assembly, so the requirements of Standing Order 15(2) were met.

3:10

The hon. member raising the purported question of privilege read in the Assembly yesterday the exchange that the hon. minister had with an individual in a March 19 teleconference, as found on page 677 of *Alberta Hansard*. The minister's statement was:

You know what? I'm really itching to say it, so I will, even though I know I shouldn't, but the first thing you can do is, actually, in Airdrie call your MLA and ask him not to oppose me in the Legislature every day on considering new ways for funding infrastructure because, you know, that really is the problem.

In his comments the hon. Minister of Education referred to a later part of the conversation with the same person. The minister indicated, at page 680 of the March 20 *Alberta Hansard*, that the parent asked how the minister's relationship with the Member for Airdrie-Chestermere affected parents in the community and the need for extra schools, to which the minister responded: "Not at all."

In his argument yesterday the hon. Member for Airdrie-Chestermere cited the *House of Commons Procedure and Practice*, 2nd edition, page 108, where it states: "Speakers have consistently upheld the right of the House to the services of its Members free from intimidation, obstruction and interference." Speakers of the Canadian House of Commons have said in this regard that it is necessary to review the effect the incident or event had on the member's ability to fulfill his or her parliamentary responsibilities. As stated on page 111 of the same book: "If, in the Speaker's view, the Member was not obstructed in the performance of his or her parliamentary duties and functions, then a prima facie breach of privilege cannot be found." Page 109 of the same text states: "While frequently noting that Members raising such matters have legitimate grievances, Speakers have consistently concluded that Members have not been prevented from carrying out their parliamentary duties."

Hon. members may also wish to refer to a December 13, 2011, ruling by the Speaker of the Canadian House of Commons concerning possible interference in a member's duties by an

organized telephone campaign survey concerning an impending by-election that was not actually planned. This ruling is found at pages 4396 to 4398 of the *Commons Debates* for that day. Speaker Scheer quoted his predecessor in finding that there was no prima facie question of privilege. In this regard he quoted Speaker Fraser at page 4397, who stated:

Past precedents are highly restrictive . . . and generally require that clear evidence of obstruction or interference with a Member in the exercise of his or her duty be demonstrated in order to form the basis for a claim of a breach of privilege.

In this case in our Assembly, strictly on the context of parliamentary work of our members, the chair cannot see how the minister's comments would constitute a clear threat to the member performing his parliamentary duties so as to constitute intimidation or molestation. The minister never indicated that the constituency would be deprived of funding should the member continue asking questions. The chair does not even find that there was a threat made and, certainly, no threat to the member.

Accordingly, the chair finds that the member's ability to fulfill his parliamentary duties has not been interfered with and, therefore, there is no prima facie question of privilege. That concludes this matter.

### **Orders of the Day Government Bills and Orders Committee of the Whole**

[Mr. Cao in the chair]

**The Chair:** The chair shall now call the committee to order.

#### **Bill 2 Education Act**

**The Chair:** The committee will continue on amendment A6 of Bill 2, the Education Act. The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Okay. I just wanted a chance to get up on this briefly. I'm not going to belabour this point because I think this discussion has been worked through at some length. However, when I saw this particular amendment, I needed an opportunity to rise and to articulate my concern with this amendment and what I think may be being attempted through this amendment.

What this amendment proposes to do is to amend section 16 of the Education Act and to remove from it reference to the Charter and reference to the human rights code. It's been my view all along or my suspicion, I guess – either/or – that really what was going on with the use of the references to the Charter and to the human rights code in section 16 was that it was an ease of drafting, for lack of a better term, by the people that wrote the legislation. In particular, rather than enumerating the particular grounds through which everyone believes they should have access to equal treatment, we would just make it simpler, and we would reference the principles of the Charter and reference the principles of the human rights code, and then the idea is that we would honour and respect them.

It doesn't mean that suddenly the Charter and all its various and sundry processes and enforcement mechanisms would suddenly fall into the Education Act because, of course, the provincial piece of legislation has no ability to amend a federal constitutional statute. It also doesn't mean that the human rights code would suddenly be amended by virtue of a different piece of legislation simply because it says that we're going to honour and respect it.

Rather, they were simply trying to incorporate all those principles which are reflected in those two very important and worthwhile documents.

The amendment that's being provided here is to very much limit the principles that are otherwise included in those two documents, the Charter and the human rights code. So this amendment would suggest that, of course, we would have education programs offered and instructional materials used in schools that would do the following: they would not promote racial or ethnic superiority or persecution – well, that's great – they wouldn't promote religious intolerance or persecution, and they wouldn't promote social change through violent action or disobedience of laws.

What, of course, is excluded from that is promotion of, say, superiority on the basis of gender. We don't include in that the protection from education that would promote superiority on the basis of sexual orientation. We don't include in that the notion that we would ensure that our kids understood that people should be free from persecution on the basis of someone's view of superiority on the basis of disability.

There are some serious grounds, some serious concepts included in the human rights code and the Charter which ought to be included as something that we would honour and respect in our Education Act, which are included in the current version of the act, which are not included in this section. It's quite a significant attempt to exclude a number of very important issues. I have some concerns about that, Mr. Chairman, and I'm not quite sure why the member, who's typically, you know, fairly able to read the legislation, would want to exclude all those other important grounds from being honoured and respected in the course of administering the Education Act.

**3:20**

Now, I'd like to read a couple of comments that were sent to me, Mr. Chairman, by a constituent of mine. I hope that you'll allow me the opportunity to do that. It's a letter, and it's a rather long letter. I'm going to try and take the principle excerpts from it. Sort of a little ways into it, it commences with:

The Canadian Charter of Rights and Freedoms is enforceable against the government only. Any argument that a vague statement in a provincial piece of legislation (to "honour & respect the Canadian Charter of Rights and Freedoms") would alter this is ridiculous. Both the Meech Lake and Charlottetown accords attempted to amend the Charter and were unsuccessful. This is because the formula for amending it is very difficult to meet. No province, even if it stated it outright, would be able to change the Charter. Therefore, the Charter of Rights and Freedoms is only used to protect individuals from the actions of the government – not the other way around! The Charter of Rights and Freedoms protects individuals' freedom of expression, freedom of religion and equality rights (to name a few). I don't have a problem teaching these basic & fundamental values to my children. As well, despite these homeschoolers' complaints about the Charter, ironically, if any school board interfered with a homeschooling parent's freedom of religion, that same parent could make a complaint for protection under the Charter.

The Alberta Human Rights Act protects individuals from discrimination during employment (both while employed and when looking for a job), discrimination when obtaining goods and services (like sitting down to a meal in a restaurant), discrimination when trying to find a place to live, and from discriminatory signs and posters. I believe that all human beings have a right to be free from discrimination and I have no problem including these values in our home. My daughter, Aisling, is reading "Claudette Colvin: Twice Toward Justice", a book about a black teenager in the southern United States who

fought for the right to sit at the front of the bus . . . At no time has the government proposed amending the Human Rights Act to include more instances than [those] outlined above. To suggest that the Education Act can somehow change another piece of legislation by a vague statement is again, ridiculous.

The letter goes on, Mr. Chairman, to say:

Frankly, I can see no further powers given by this section. In fact, I think school boards have always had the power to interfere with parents homeschooling their children and they still have these rights. I do not see anything new [here]. If a parent is teaching a child racism and hatred, I don't have a problem with a school board intervening.

Finally, she concludes:

We should not blindly believe what they are saying is true just because they push it under the banner of "Homeschoolers' Rights." I, for one, am embarrassed by the reaction of some homeschoolers to object to abiding by the basic and fundamental rights and freedoms that are the foundation of our democracy and what make Canada a decent place to live.

Mr. Chairman, this letter came to me from a constituent, Jacqueline Devlin, who has a law degree, is a legal studies professor, is a home-schooler, and is, in fact, the president of the Home-based Learning Society of Alberta.

She really very much wanted me to read this letter because she wanted people to understand that the positions that have been advocated and the interpretations around the Education Act are not ones that are widely held by the majority of the home-schooling community and that, in fact, most home-schoolers are quite concerned that people would suggest that they would object to teaching the principles found in our human rights code and in our Charter of Rights and Freedoms to their children because they see those as two fundamental documents which outline values that all Canadians believe in and that we find as a source of commonality while at the same time respecting diversity of opinion and beliefs. We know that there are some very fundamental beliefs that we share.

I really felt that it was important to put that on the record so that people understand that there is diversity, indeed, within the home-schooling community, and there's a diversity of opinion on this act. There's also a strong diversity of opinion about the alleged implications of the language in this act. Quite frankly, I've found a lot of the discussion around this up to now to be somewhat surreal and, really, a bit ridiculous because, certainly, my view from the very beginning was exactly like that of Ms Devlin's.

You cannot use a provincial education act to change another act without stating so specifically. Both the human rights code and the Charter of Rights have very specific applications and specific implications, and you can't change that without changing them. All this act does is that it says that we're going to honour and respect the following concepts, the following ideas. The statement "honour and respect" is simply a statement. It is not an enforcement mechanism. It is not a criteria upon which somebody comes in and scoops your kids away from you and forces them to go into school. It's nothing like that. It's simply a motherhood statement, and it's a motherhood statement that was made with reference to two documents that presumably the vast majority of Canadians automatically hold to be true and care about and believe that it's almost a given that we would want these to govern the way we conduct ourselves day in and day out. I think that's an important point to make.

On the amendment itself, as I've said, the very act of replacing the language that is in there now, the reference to the code, the reference to the Charter with the much, much, much more limited grounds that are proposed cause me some concern because there are very significant – significant – grounds upon which people

need to be treated equally that are not included in the listing that is provided in this amendment. I think that their absence speaks volumes. We should be very concerned about that. Under no circumstances would I ever see supporting an amendment that would replace the statement that we should honour and respect the principles included in our human rights code and our Canadian Charter of Rights and Freedoms and replace that with a much, much more limited set of principles that are included in this amendment.

On behalf of the NDP caucus we will not be supporting this amendment. We do otherwise support the inclusion and maintenance of section 16 in the act as it currently reads.

Thank you, Mr. Chairman.

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

**Mr. Chase:** Thank you very much for this opportunity to discuss amendment A6 that deals with section 16. I'll just read it into the record for those of us who have just seen it for the first time. My hon. colleague from Airdrie-Chestermere moves 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.

I very much appreciate what the hon. Member for Edmonton-Strathcona said with regard to the number of potentially allowable persecution situations such as the persecution of transgendered individuals. Also, the limitation in schools: we heard today in question period and previously in statements that the Education minister has said that parents have the right to teach whatever, whenever, regardless of the Alberta curriculum. This respect limits the notion of respect to just the school circumstance.

In other words, even though it's a selected few areas that schools must not promote or foster, it doesn't suggest that these are universal values. In other words, is it acceptable, then, to "promote or foster doctrines of racial or ethnic superiority or persecution, religious intolerance or persecution, social change through violent action or disobedience of laws" at home? Is this a parent's right to bring up a little Aryan, for example, that has no respect for other individuals' beliefs?

I respect parental rights, Mr. Chair, but when I listened to Global News covering the rally that was held on the steps of this Legislature and a child being interviewed expressing fear that she was going to be ripped out of her home and forced into a public school education system, it brought back the whole concern of residential schools. I sure hope we've learned our lesson about going after a minority group – in this case it was First Nations – possibly with the best of intentions but unfortunately with heavy religious overtones, trying to force them into a larger perspective.

3:30

Now, for home-schoolers I hope that we learned our lesson about going after minorities and trying to force them to conform, actually sending out police forces to capture their children and force them into residential schools, where for a great extent cultural genocide was the order of the day. Their braids were cut. There was an attempt to turn them into little white kids. If home-schoolers in 2012 believe that the government or the public system or the police forces are going to kick down their doors and instruct what they are to teach and potentially how they are to

interpret other pieces of literature such as the Bible, the Quran, or any other document that they hold dear, then that's a bigger worry than what either Bill 2, the Education Act, or this very limiting amendment addresses.

This amendment would suggest to me that while schools are not to promote or foster, there's nothing in it that says that schools can't tolerate it. They may not initiate the discussion of bullying on the basis of superiority, or they may not have written doctrines that foster one group being superior to another, but there is an expectation, particularly in the public schools, I would suggest, that automatically would, based on higher forms of legislation, as the hon. Member for Edmonton-Strathcona pointed out, whether it's the United Nations universal declaration of human rights, whether it's our Charter of Rights, or our provincial Charter. So to try and best those well-established universal principles by a short addition such as amendment A6, which limits the type of persecution that is tolerable and talks about it only in a school setting, doesn't achieve the needs that I see in terms of protecting human rights.

Now, where I'm concerned, too – and it's funny. I think it was the hon. Minister of Education or a government individual who said that if so many groups are opposed to this legislation, then we probably got it right. Well, I don't believe in the worst-of-averaging principles. Home-schoolers are afraid that their rights are going to be interrupted, interfered with. How that would happen, I'm not sure. As far as I know, we haven't reached the George Orwellian state of *1984*, where we have children tattle on their parents as to what they're being taught and then the parents are subsequently arrested.

I realize that we have cameras that indicate traffic flows and so on. But as far as I'm aware, parents shouldn't have to worry about that light pole out in front of their house having a camera that not only peers into their house to determine what they're teaching but records their comments. I mean, if we're at that state of paranoia, as I've argued earlier on, then these little amendments aren't going to give parents the security they need to feel the rights of freedom of assembly, the freedom of religion, the freedom of expression. It's those fears that have to be dealt with.

Then, Mr. Chair, on the other end of this are fears that I've expressed, having been a public school teacher for 34 years, that a student might pop up in the midst of an impromptu discussion and cause that discussion to come to a rather quick halt because it had to do with sexual orientation, sexual education, or it could potentially be interpreted as having a religious overtone.

Now, Mr. Chair, these are potentially two opposite extremes, but because there is worry from the public school system and there is worry from the home-schoolers, neither of these groups' concerns, no matter whether it's the minority of home-schoolers or the majority of public school parents and students, have been effectively addressed within Bill 2, the Education Act.

The hon. Member for Edmonton-Centre pointed out the confusion associated with Bill 44 and trying to overlap a bill that talked about human rights and including it in the Education Act. She offered an amendment that would have at least attempted to clarify what forms of discrimination were intolerable and, in the last clause, the business about impromptu discussions being exempt. But at the heart of these matters, whether it's from a public school perspective or from a home-school perspective, is concern over human rights tribunals. As long as human rights tribunals with quasi-judicial powers exist, in theory to protect and uphold human rights, then the individuals who are most worried about having their human rights encroached upon are going to continue to have a concern. The proper place for human rights to be upheld and promoted beyond a doubt is in the public school

system, but it's the courts that should be enforcing it, not quasi-judicial human rights tribunals. This is at the heart of the matter that is causing such concern and cannot be resolved within the Education Act.

Thank you, Mr. Chair, for allowing me to participate in the debate over amendment A6, which in itself is limited in the type of bullying that is not being promoted or fostered, limited in the location of the type of prejudicial activities that are not being allowed or promoted. Attempting to rewrite the Charter of Rights and to create a little précis, or summary, in the form of A6 has obviously failed, and I think you will see that in this House it fails as well.

**The Chair:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you very much, Mr. Chair. I look forward to the discussion today. I want to say up front that it is the intention of the Wildrose caucus today to see this bill passed in Committee of the Whole and to vote on these amendments and others and, hopefully, tonight pass third reading of the Education Act. There are a lot of very good things in this act, a lot of fantastic improvements with regard to bullying but also with regard to charter schools and other very good issues that are dealt with in this act.

I'm going to on behalf of our caucus give a few remarks on this amendment, and then, hopefully, we can move on quickly. We have another amendment that I'd speak to briefly, and I know that there's another member here with another couple of amendments. But I hope that the hon. members across the way will support us in making sure that this bill has passed Committee of the Whole today and third reading tonight so that we can get this act into force and effect.

**3:40**

Now, of course, there are several issues and problems with this act. That's why we're bringing amendments. A Wildrose government, if elected after the next election, will ensure that these amendments or ones that essentially do the exact same thing will be brought forward immediately upon taking office if that is the case. But we see no reason to delay further the good parts of this bill, which are, you know, 95 per cent or 99 per cent of it, which is good. So let's pass this, and then we can come back after, and should the people of Alberta give some different folks an opportunity to govern this province, then that is our commitment to the people of Alberta.

There have been some interesting things said. You know, one of the things I had an opportunity to do, obviously, was to go to law school. I was a baby lawyer when I became an MLA. I had only practised for about a year, actually, so it was an interesting experience. It was a very interesting experience also in law school. I think I was just a pretty average student, but one subject that I absolutely loved was constitutional law. In fact, the one and only academic highlight of my career in law school was that I was able to receive the Merv Leitch scholarship for having the top grade in the University of Alberta constitutional class. That was something I worked very hard for. The reason that I did is because of a passion that I feel for the Charter of Rights and Freedoms and for those liberties and protections that are afforded there. I loved it. I loved talking about it. I loved researching it, debating it. It's a fascinating document, you know.

Although I don't agree with every interpretation of everything that's ever been said by the Supreme Court on the subject, I found that the vast majority of their rulings have strengthened the Charter, with a few exceptions. So I'm a huge fan of the Charter

of Rights and Freedoms, and I think every Albertan should be a huge fan of that document and, of course, also the Alberta Bill of Rights, which is essentially, you know, not as supreme as the Charter of Rights and Freedoms, but it's the same ideas that are a part of it.

Now, we must be very careful not to get things confused here. The Charter of Rights and Freedoms and the Alberta Bill of Rights are fantastic documents that we in the Wildrose and I'm sure everyone in this House completely support and are happier there. As has been mentioned, many of our rights are in there and are protected. Parental rights, for example, are in the Human Rights Act, something that I had a small hand in helping out with to make sure that they got in there a couple of years ago. So it's something that I very much support, a lot of what's in that act; in fact, most of what's in that act.

I'll talk about section 3 a little bit. I don't support section 3 of the Human Rights Act – of course, that's been debated hotly – because I think it's an infringement on free speech, but that's debatable and so forth. But the body of the document, most of the document, I'm in complete agreement with and want to see those rights completely upheld.

The problem that we have over here on this side of the House is not with the Charter of Rights and, certainly, not with the Alberta Bill of Rights. The problem we have over here is with how portions of the Alberta Bill of Rights have been interpreted by the Alberta human rights tribunals and how they have been adjudicated, how issues of human rights have been adjudicated in these human rights tribunals. That is the issue that we have, not the Bill of Rights, not the Charter of Rights, but how certain things have been interpreted by the human rights tribunals.

As the Member for Edmonton-Strathcona has said earlier, every document that we pass as a government is subject to scrutiny under the Charter of Rights. It's already under scrutiny. But that's not what this act says. Let's review what this act says.

**Ms Notley:** The human rights tribunal has no jurisdiction in this.

**Mr. Anderson:** I said the Charter of Rights. [interjection] She's very distracting sometimes, that member.

In Bill 2 there are a couple of provisions. Obviously, there's section 16, which we're talking about here, which 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.

There are some interpretations of certain clauses in the Alberta Human Rights Act and in the Charter that are not universally accepted. I know that's amazing to think, but some interpretations have not been universally accepted by all Canadians. There are Canadians out there that have differences and disagreements with some of the rulings that the Supreme Court and human rights tribunals, especially, have found on interpreting some of these rights. That's normal in a democracy, and it's okay. In fact, even the Supreme Court believes that's normal, and they protect it.

I've said numerous times that under the protections of free speech and freedom of religion, they allow for that and they accept it as part of what they're doing. They know that there are different views about how they've ruled on certain things. That doesn't take away from the binding force of the law, of course, when they make a ruling on interpreting a Charter right. But the members of the Supreme Court would be the very first people in line to say that they would never think to impress upon other individuals their interpretation of the Charter of Rights and

Freedoms. Other people are able to disagree with them and think and feel in opposition to what they've said and so forth. And some people do. I wouldn't say a majority do, but some people do with certain interpretations of the Charter, and certainly the tribunals under the Alberta Human Rights Act have varying opinions. And that's okay. That's been stated on the other side. Everyone knows that.

Here lies the problem. In this act it says under section 16 that all courses or programs of study offered and these materials, et cetera, must reflect the nature and promote understanding and respect for these two documents. This is the fear. I'm expressing the fear of parents. They fear that there are people out there in the educational fields that will use this as a way to impose their way of thinking or impose a certain agenda on them, something that goes against their faith, something that goes against their beliefs. That's the fear. That's what they fear.

We can all stand here and say: oh, you've got nothing to fear. I don't necessarily fear that myself, but I'm not speaking for myself right now. I'm speaking for thousands of Albertans that are scared about this. We did not bring these concerns up in the Wildrose. We didn't. We were reading the act and we just, kind of: that looks good. But thousands of Albertans across the province wrote, e-mailed, phoned, and they said, "You know, we have a real concern here," so we started looking into it. And you know what? There is a way to interpret this in the way that they fear. I'm not saying that the government ever will, but there is a way to interpret it.

Mr. Chair, how much time do I have left, 10 minutes?

In section 29 under private schools – for example, we have a great private school, AKCS. It's the Airdrie Koinonia Christian school, a great private school. It's a nonprofit private school. Parents make tremendous sacrifices to keep their kids in that school because they believe in a faith-based education.

In section 29 it says:

(4) The Minister may cancel or suspend the registration or accreditation of a private school . . . including AKCS,

(d) if the person responsible for the operation of the private school permits courses, programs of study or instructional materials that do not comply with section 16.

Okay. So what if in a Catholic school or in a private school or in a home-schooling setting there is a parent or a teacher that gives a faith-based or, say, Biblical interpretation of a subject that the Supreme Court or the human rights tribunals have found a different interpretation of, and they say: "We disagree with that interpretation completely; we believe that our faith, what we believe, is the right way," and they teach that to their kids? There is a fear by them that this act could be used, that you could have some overzealous individual with an agenda say: "You know what? You guys in that school can't teach that. You can't teach your faith. You can't teach the morals that you want to permeate the curriculum" or whatever it is. "You can't do that because that doesn't conform with what the Supreme Court has said in X decision or the human rights tribunal has said in Y decision." That's the fear.

3:50

Am I saying that the Minister of Education has any feeling that he wants to do that? No, I'm not. But this is kind of like with landowners. These parents feel scared that down the road this could be used as a sword rather than its intent, which I think is more of a shield. It could be used as a sword to force individuals to teach things that they do not believe, that are bona fide religious

beliefs. I think that that is a reasonable fear to have because when you read it, it does sound like that's a possibility.

Do we and do these parents, mind you, support the Charter of Rights and Freedoms, these parents that are writing, these thousands of parents, 2,000 protesting and many thousands more writing? Do they not believe in the Charter of Rights and Freedoms? Do they not believe in the Bill of Rights for Alberta? Of course they do. They feel passionately about it. In fact, they're saying: "Look, protect our freedom of speech and conscience and religion. Protect that." I think that that's a reasonable thing for them to do. They love their rights under the Charter. They love their rights protected under the Bill of Rights. What they're scared of is that these sections will be used as a sword to bring interpretations that they don't agree with on the Charter and on the Bill of Rights into their homes, into their faith-based education systems, and so forth.

We just had an example today. The Grande Prairie Catholic board is going to be protesting Bill 2 on these grounds. So it's not just home-schoolers. It's Catholic boards, and it's certainly independent schools, not all independent schools, but there are many, many, many independent schools that do not want this section passed.

With regard quickly to the – people say, "What is the problem with these human rights tribunals; why do you want section 3 taken out of the Human Rights Act," and so forth. People get confused. They see it on its surface, and they say: "Well, that makes sense. Nobody wants discrimination." Of course nobody wants discrimination. But the problem is that when you don't word things properly and you open them up to broad interpretations, pretty soon that turns into a real problem if you get some activist individual that tries to use that language to make it broader than what it was intended to be. That's been the problem with the human rights tribunals.

I'm going to quote very quickly from the *Calgary Herald*, Marco Navarro-Genie. This is from the *Calgary Herald*, March 16.

It isn't only that [the Premier] would be trampling parental rights in pursuit of . . . votes. The crucial issue is that the act subordinates education to the soft totalitarianism of the Alberta Human Rights Commission.

It is difficult to imagine a greater public policy fiasco and a state branch in greater disrepute than human rights commissions. Human rights are essential, but their enforcement by commissions has an appalling record of violating religious liberty, censoring the press and abusing fundamental legal rights of Canadians. Numerous legal malformations afflict the commissions. They lack definition of the terms they use to prosecute citizens; they offer no presumption of innocence; they don't require their investigators to behave ethically and legally; they don't prohibit third-party accusations; they welcome double jeopardy; they don't require speedy procedures; they grant no right to cross-examine accusers; and they provide no procedural safe guards regarding the collection of evidence, entrapment, hearsay and self-incrimination.

While these afflictions alone should be enough to shut human rights commissions down, some people find them politically useful.

That's the problem. These human rights commissions have been used to make interpretations of human rights law that are unconscionable. How can you haul up Bishop Fred Henry and investigate him and rack up tens of thousands in legal bills because he had the audacity to give a sermon to his congregates on Biblical teachings of marriage? Are you kidding me? What do you expect a bishop in the Catholic church to teach? I'm not Catholic. What do you expect him to teach? Of course, he's going

to teach the Biblical interpretation. That's his job. That's what he believes in. The Human Rights Commission persecutes this man? Tens of thousands of dollars in legal bills defending him in a kangaroo court? That's the problem, and that's what people are scared of.

We've made our point in the Wildrose, I think, on this issue. We've heard from the Liberals. We've heard from the NDP. We've heard from the PCs. We're more than happy to move on on this. There are four parties in here that could form the government. If we are so lucky to be given that mandate, a Wildrose government would immediately alter the Education Act to protect those fundamental freedoms: freedom of religion and so forth, freedom of conscience and speech. We would do that immediately. But I don't think there's any purpose in debating it longer from our end. We've made ourselves clear.

With that, I hope we can get to calling the question, moving on, and passing a bill that is 99 per cent good. Thank you, Mr. Chair.

**The Chair:** Any other hon. member on amendment A6?

Seeing none, the chair shall now call the question.

[Motion on amendment A6 lost]

**The Chair:** We shall go back to the bill. The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you. It's a pleasure to be able to rise and speak to the Education Act as a whole. A few general comments that I'd like to make and then a couple of specific issues that I'd like to see us address if at all possible. There are certainly some positive things within the bill, which I suspect will go forward and pass this evening. There are some things, however, that I would have liked to have seen that are not fully addressed that I'd just simply like to point out.

First of all, there's good language in here around the issue of bullying. Certainly, the improvement that was made as a result of the amendment that was passed a couple of days ago makes that language even better, so that's good. The concern that I have around the bullying language is that, you know, as with the point that we made earlier today about the elimination of racism, it's all fine to make laws, but you need to provide adequate resources to enforce them.

One of the concerns that I have around this bullying language in the act – well, I don't have a concern; it's good. It's good that it's in the act. But one of the concerns that I hear about from families in the school system as well as with teachers is that the real meat and potatoes around ensuring that we can eliminate and discourage and distract and otherwise refocus kids in the schools away from bullying activity, the real issue there is ensuring that we have adequate resources in our schools to do that work.

If parents are being asked to volunteer their time to oversee what's going on in the school ground during recess and lunch hour, then we cannot expect them to really be able to necessarily always engage in the best practices around keeping children active so that they don't engage in bullying behaviour. In some schools, depending on the nature of the student population, bullying may be more or less likely, and based on the nature of the student population, strategies around preventing bullying will be more or less complex.

They will need additional resources, whether it be additional activities run and managed by teachers and other staff or whether it be just simply oversight. To say that we're going to take care of bullying by putting this principle into the act but then not following it up with adequate resources – adequate teaching resources, adequate staffing resources – it really is another one of



these things that the government is famous for: grand statements of intent that lack the adequate resources to follow it up.

That's the little bit of the warning that I would attach to this part of the act. Good intentions, good language, but if we do not provide our teachers and our school staff with the resources to really follow it up and to do the work that's necessary, then it will end up being meaningless.

4:00

Another concern that we have is that the act doesn't deal specifically with school fees. Instead, what we're asked to do is simply wait until after the election. Of course, there's a list as long as my arm, Mr. Chairman, of the number of things that we need to wait for to be addressed by this government after the election, and this is yet one more of those items.

The minister promises us that we'll review school fees. Well, that's great, but there's really no indication of where that's going to end up. All that we know in the meantime is that school fees are growing, and some families can't keep up with them, and children suffer as a result. The equity of our public school system starts to be jeopardized. There ought to be stronger language about that issue in this legislation.

As well, we would have liked to have seen the government move immediately on the issue of full-day kindergarten. We've heard the explanation from the Education minister about the ability to have kindergarten in the building capacity that we have right now. It may well be that in some cases it's not possible immediately, but there's nothing to stop us from phasing it in in those communities that do have the capacity. We heard the minister talk about how the Edmonton public school board has enough capacity to fit the whole Catholic school board inside it – I think that was the language – so clearly in Edmonton, for instance, there is the space. Why are we not perhaps moving forward in September in the places that do have the space? It's not happening, and it's not guaranteed in the act.

School lunches, again, probably not something you'd find in the act but critically important. It would have been nice to have seen some statement in the act as to the understanding that our kids come to school with different resources at their disposal and that in a public education system it's our obligation to ensure that when they sit down at their desk to learn that day, they're all given the same capacity to learn. Just like with the school fees, that is not the case.

One of the big issues that we have spent a lot of time talking about in this Legislature is the issue of public dollars going to private schools. I want to be clear that the NDP is not in support of public dollars going to private schools. I just don't think that that is an appropriate use of our resources.

Now, I would say that what we need to do is phase it out. We shouldn't sever it immediately. We need to phase it out. I do believe that there are some private schools that are receiving public funding that offer special-needs programs and that parents do in some cases struggle mightily to pay the fees for those particular programs. They want to do the best for their kids, and they know that with what's been happening with special-needs funding in our public system, their kids are not going to get the education they need in the public system.

What I would like to see us do is phase it out, phase out public funding of private schools, but make sure that as we're doing that, we are providing the adequate support within the public system, particularly for our special-needs kids. I know that that is a growing area now, private school attendance, because we are not holding up the ball on that issue in our public system as well as we

should be, and responsibility for that comes immediately to rest at the government's feet because it's a funding issue.

Finally, there are a couple of changes in this act that we will be proposing amendments on. One of the changes is that the process around closing schools has been amended to essentially ensure that it happens with less oversight and more frequently. It involves the government trying to distance itself from that process because they know that it's an incredibly disruptive and upsetting process for communities across our province. What they want to do is just download all responsibility onto the school boards, but I don't think that should be allowed.

The fact of the matter is that every time a school closes, 85 per cent of the factors that go into that decision for a school to close are factors that are controlled by this provincial government, and they arise as a result of decisions and choices made by this provincial government. Whether we're talking Municipal Affairs, Infrastructure, or Education and whether we're talking about the rights and responsibilities of other levels of government, the provincial government ultimately is the primary decision-maker, so they must retain primary responsibility. We're not happy with the proposal here to download that and make it easier for school boards to react to government decisions that way.

Finally, there's an issue with respect to charter schools, Mr. Chairman. We have some serious concerns around charter schools.

I'm wondering: could you tell me how much time I have left at this point?

**The Chair:** You have 12 minutes.

**Ms Notley:** I think what I'm going to do at this point is propose an amendment to Bill 2 that relates to the issue of charter schools, and then I will talk a little bit about some of my concerns in that regard. I'll just sit down for a moment while the amendment is distributed.

**The Chair:** Yes. We will pause for the distribution of the amendment.

Hon. members, the amendment shall be known as amendment A7.

Hon. member, please continue.

**Ms Notley:** Thank you, Mr. Chairman. The amendment that I'm proposing is as follows, that Bill 2, the Education Act, be amended by adding the following after section 24(1). It would read as follows:

(1.1) An application may be made to the Minister only if the board of the district or division in which the school is to be established refuses to establish an alternative program under section 19 as requested by the board, person, society or company.

What this amendment is proposing to do is to ensure that this bill retains in it what is often referred to as the right of first refusal by school boards when we're looking at the establishment of charter schools.

Let me just talk a little bit, first of all, about some of the concerns that we have around charter schools, Mr. Chairman. In theory the idea around charter schools was that they were going to be a very unique program that was offered in very limited circumstances to provide education that was innovative and offered up sort of a research/pilot project kind of scenario, and where that research and that pilot project ended up with positive results, the theory was that those teaching methods would be or could be incorporated into the public school system.

What this act does through a variety of different strategies is that it broadens the application and the existence of charter schools. Now, in general, while this principle or this theory around charter schools is potentially laudable, there are concerns around charter schools, Mr. Chairman, that we have seen in other jurisdictions.

First of all, public schools are accountable to the public through their elected school boards, so it's a very open, democratic, transparent process. Any member of the public can attend the vast majority of school board meetings and all that kind of stuff. Charter schools don't have these kinds of boards, so they don't have the same structure of public accountability, yet they are a hundred per cent funded by public dollars. That is a concern.

One of the other things that's going on in this act, that we may not get a chance to address, is simply that charter schools currently have a limited period of time that they can exist without the minister having to extend it. What they're going to do is that they're going to offer these charter schools greater permanence through this new act. My question would be: why do we need to offer them greater permanence? If they're worth while, if it's working, why would we not in fact even give it back to the public or separate school board?

Another issue with charter schools that makes you question whether it's necessary for them to proliferate all over the place is the question: well, if they are supposed to be centres of research and school improvement, why is it that we've just cut the Alberta initiative for school improvement fund by \$40 million? On one hand we've pulled back a whole bunch of school improvement funds from the public system, and on the other hand we're going to allow for more charter schools to be set up without consultation with the public school system that will then get public funding.

You know, we're shifting the way we engage in research and innovation, and we're making it less accountable to the public either through the decisions that the provincial government makes or through the school board. That really makes no sense to me.

**4:10**

With charter schools, since their teachers are not members of the ATA and because the ATA plays a role as a professional body and as a professional compliance body, there are concerns around the professional standards and the policing of professional standards, for lack of a better term, of teachers that work in charter schools. Not to say that there aren't many dedicated teachers working in the charter school system – I would never want to say that – but there's a reason why we have professional associations, with the various mechanisms that are attached to them, and the fact that these teachers are not associated with that should give one some cause for concern.

A 2009 study of charter schools shows that their students on average will perform slightly less successfully than students in public schools.

Then we have the issues around the exclusivity of charter schools. Charter schools receive a hundred per cent of funding, but charter schools tend to have lower numbers of children with special needs and lower numbers of ESL children.

Again, given this background why do we want to massively increase the number of charter schools in our province? It fragments and Americanizes our public school system. In our view, one way to avoid this and to at least keep some ever-so-remote connection to what was the original purpose behind charter schools, when people told us that we ought to give them some consideration, is that we need to keep the role of the charter school connected and linked up to the public school system. This is why the NDP is proposing this amendment, to ensure that the public

school boards continue to have the right of first refusal before a charter school is approved by the minister. In that way we ensure the greatest consistency in terms of our overall educational objectives and the overall educational planning that we're engaging in. That's what this would achieve.

We would also ensure that we don't get into a situation where charter schools begin to compete with public schools. That's what we've seen happen in the U.S. There's been a grand proliferation of charter schools. Not only do we lose the consistency of educational objectives and policy and planning, but we actually find that they start to confound each other as they compete with each other for really minor, not-well-thought-out reasons, and there can be a broad variety of them.

We should not be disconnecting the establishment of charter schools from the public school system's ability to exercise a right of first refusal. There can be cases, there may be cases in some situations where public school boards seem to be saying no to charter schools in a way that does not seem to be justifiable, and in those cases the charter school might be appropriate, but you always need to give the public school system the right of first refusal. At the end of the day the public school system is what we are basing the vast majority of the educational resources and investments that we are making as a government into education on. We value our public school system. We value our elected school boards. We value their democracy. We value their accountability. We value their equality. We value their equity. Why would we undercut it by having a proliferation of charter schools? It makes no sense.

I urge members of this Legislature to vote in favour of this amendment so that we reconnect the establishment of charter schools to the rights of school boards to have right of first refusal before a charter school can be established.

Thank you, Mr. Chairman.

**The Chair:** The hon. minister.

**Mr. Denis:** Yes. I just wanted to get a few words in on the hon. member's speech on Bill 2, particularly on the amendment that she would have to 24(1) with (1.1), specifically about charter schools. Now, I believe the cornerstone of education in this province is the aspect of choice. Parents, obviously, have the paramount right over their children. There are many different types of children, and as such there also are many different types of education. We have public schools, we have private schools, we have charter schools, we have home-schoolers, and the list goes on. I'm sure I've missed many, but the point is brought.

In my riding there is a charter school, Foundations for the Future Charter Academy. I have attended it many times, and I'm very happy with their particular level of education. They have music programs. They have contextual programs. They have a program every year in which I have had the privilege of participating every November 11 or recently theretofore where they bring veterans in from the local Legion. I'm very impressed with the quality of education there.

I would say to all members of this Assembly that we cannot and should not ever prefer one form of education or another. There are many different types of children, many different types of education, and that is the cornerstone as to why our system is, in fact, so successful.

In dealing with this amendment dealing with charter schools, I don't think charter schools are a bad thing. I don't think charter schools are anything to be feared. Apparently, neither do parents because the wait-lists for some of these charter schools are so significant. If it was a one-size-fits-all approach that, in fact,

worked, well, what I would say to members of this Assembly, Mr. Chair, is that then you wouldn't have a wait-list for these particular charter schools.

I think that we are leading the country if not the whole western world in dealing with education. Specifically, as charter schools have seen, they have been an excellent addition to this whole program. I would say to every member here: when you're voting for this amendment, we have to tread very carefully because the charter school experiment here has succeeded. The Minister of Education has mentioned to me many times his proposal, which I fully support, to allow for a 15-year charter. I think that we have a good thing going here. We probably should not tinker with it that significantly.

Those are just my brief comments on this amendment, Mr. Chair. Thank you.

**The Chair:** Thank you, Minister of Public Security.

The hon. Member for Calgary-Varsity first.

**Mr. Chase:** Yes. Thank you very much. I do want to point out what this amendment is offering. The hon. Member for Edmonton-Strathcona, who put forward amendment A7, is talking about the first right of refusal. Now, the hon. Solicitor General talked about treading very carefully. What this amendment recognizes is that possibly all needs aren't necessarily being met, and in those cases where they're not being met, then the various groups could ask to have a charter created.

There is a tremendous difference, for example, historically in the Edmonton public and the Edmonton separate school boards and in the Calgary public board of education, that I had my 34 years of teaching experience with. Edmonton public, not necessarily at the beginning but I would suggest certainly in the '70s, recognized that parents were looking for different types of emphases within their schools. Edmonton was probably a leader in the nation for having a variety of schools: schools for the arts, science schools, and so on. So Edmonton public created those niche schools that parents were willing to pay the extra transportation cost to attend.

Now, Calgary was late into the race, and because it was late into the race, there were a number of organizations that did not feel that their specific emphases or needs were being met, and therefore we see a much greater proliferation of charter schools in Calgary. To a significant extent, despite the hon. Solicitor General's comments about waiting lists, which are accurate within the charter school circumstance, Calgary public schools has almost in a reverse osmosis process created a number of niche-type schools to provide parents with those choices.

4:20

One of the niches that I'm most proud of and I've been connected with, most frequently through Remembrance Day, November 11, ceremonies, is Juno Beach Academy. Now, Juno Beach Academy is a full public school that emphasizes the proud military history of the Canadian forces. Those young men and women do a phenomenal job of recognizing their backgrounds in teaching, recognizing the discipline, recognizing the standing up for democratic rights, especially on November 11. Of course, it's not limited to that day, but I have never been to a better organized school assembly, including a number of ones that I've organized myself at a variety of junior highs I've attended, than is put on by the Juno Beach Academy. So Calgary, as I say, is sort of catching up with the niche markets.

There is always a danger of repetition in following members such as the hon. Member for Edmonton-Strathcona, but when the points being made are such that they require echoing, require emphasizing then I hope hon. members of this Assembly will permit me a degree of emphasizing or repetition.

The hon. member talked about rights not only of the students attending the various schools but also of teachers' rights. In the charter schools teachers cannot be full members of the Alberta Teachers' Association and be covered in those charter schools to the extent that they are covered in either the public, the separate, or the francophone school systems, where they have full membership rights. Therefore, organizations that have previously been mentioned by the hon. Solicitor General: I have had individual teachers come to my constituency office and talk about circumstances where their contracts were not renewed for some very questionable reasons. They went through the Alberta Teachers' Association. The discriminatory practices were noted, but the ATA was only able to provide legal counsel to a certain degree because of the fact that they weren't full members of the organization.

Now, as the hon. Member for Edmonton-Strathcona pointed out, charter schools can get away with exclusionary practices. They can exclude individuals based on their IQ. They can exclude individuals based on their language proficiency in English. They can exclude students for ethnic reasons. They can exclude children for religious reasons. Yet the government of Alberta allows these exclusionary schools to receive the 100 per cent funding, per-pupil grant funding, that established public education schools receive. They do it under what I would call the guise of choice. The idea that we would allow schools to discriminate in the negative sense of the word and then pay them the full per-pupil fee to discriminate is not acceptable to me in this province.

As the hon. Member for Edmonton-Strathcona pointed out, if the public system is reaching out and capturing the various needs required, then it's a kind of self-fulfilling prophecy that these charter schools won't gain a footing. But just because every individual who thinks that they have an alternative in mind and proposes a school that reflects that particular alternative and then receives funding with parents only being members of the board – there's no election process; there's no public accountability – get the full funding, then I have a tremendous difficulty with it.

Part of that difficulty, Mr. Chair, comes from the fragmenting of the public system. The public system is held to a higher standard of expectation in terms of academic performances, in terms of inclusionary practices, including special-needs students, English as a second language students. Then what happens is that choice becomes a two-tiered, preferential school system, and the public system's expectations are not equal with the public schools' rights. Their rights are undermined by these exclusionary school practices.

The public system in Calgary, the Calgary board of education did not want to get into fragmenting based on narrow interpretations of religious practices. As a result, the public school system in Calgary would not permit a couple of religious schools to operate in the umbrella of a public school system as a charter school. As a result, what happened was that the Chinook division, that was as much looking for the funding as it was for offering an alternative, has the trusteeship of a couple of geographically based Calgary schools. That's just another example of what happens when the main system has difficulties with exclusionary practices. Those students who receive a hundred per cent of the funding but do not have to follow the same practices of a public system now get the out of being under the Chinook school board.

We have a number of schools that are charter schools. They get the full benefit of the hundred per cent per-pupil grant, and then they're allowed on top of that to charge extra school fees, whether they be school fees or tuition fees. That is tolerated, again, under the guise of choice by this government. If people wish to have alternatives, then I believe they should pay for them.

The parents, when they indicate which school system they support, have their taxes go either to the public or to the separate school. I believe there's obviously a provision for parents whose children go to the francophone system, which is basically the French version of a public school system. I don't have problems with that. But when they get the full funding of per-pupil grants, and then they're permitted to exclude, and then they're permitted to charge fees on top of what a public system would receive, then I have a problem.

People say that mathematically my argument is flawed because if these children, for example, in the private school system were to attend the public school system, then instead of the 75 per cent per-pupil grant, they would be receiving a hundred per cent student grant funding. While that makes sense mathematically, it doesn't make sense in terms of providing a universal education system where all values are recognized and the size of your wallet doesn't determine the size of your class. That has to be taken into account. However, that is not a part of A7, and I certainly don't want to be called on relevance with regard to this amendment.

4:30

I'll conclude, Mr. Chair, by indicating that I believe in the primacy of the public school system. I believe that the same expectations in terms of the rules under which a school is conducted should be applied universally and that charter schools should not be able to have separate charters that basically exclude and discriminate and yet receive the full funding.

I thank the hon. Member for Edmonton-Strathcona for allowing that choice, if it's not provided somehow within a local area, to apply for a charter, but I want to emphasize that the public system historically has reached out, has not put in filters or barriers, and every time an alternative is made easier, with less expectation than a public system, then the public system is eroded.

Thank you, Mr. Chair, for this opportunity to speak on A7, which I will be supporting and which I believe would make the Education Act, Bill 2, more acceptable to a much larger number of individuals.

**The Chair:** The hon. Minister of Finance on amendment A7.

**Mr. Liepert:** Thank you, Mr. Chair. There are – I don't know – four or five former ministers of Education sitting in this House. I can't help but believe that each one of them would like to stand up and speak after listening to that particular member. There were so many inaccuracies in what he just said that I'm going to try and address a couple of them, and then I think probably the current minister or one of the former ministers would be happy to continue to ensure that the facts are straight.

As I said, I had the opportunity to be a Minister of Education for a short period of time, and one of things that I was the most proud of was the fact that we had one of the most outstanding education systems in the world, and we continue to have one of the most outstanding education systems. I fundamentally believe the reason that is today is because of the policies that have been in place for, well, several decades now, Mr. Chairman.

I know that this particular member has probably reminded us in this House in the course of his seven and a half years of being elected I'd guess well over a hundred times about his 30-some years as a teacher.

**Mr. Chase:** Thirty-four.

**Mr. Liepert:** Thirty-four. That's the number. I was thinking it was 39, but I didn't want to give him too much credit or too much pensionable time. He's reminded us about his 34 years. I often, when I hear that, wonder whether that particular member is standing in this House advocating for education or whether he's advocating for the environment that he taught in for 34 years – I feel that because of the restrictions around our public education system and the role that the ATA plays in the delivery of education – or who he's exactly advocating for, Mr. Chairman.

One of the reasons why this province has such a successful and great education system is because we have allowed choice, and we have encouraged things like the charter school system, which, by the way, is a fully funded part of the public school system and does not discriminate as that member tries to leave that impression on the floor of this House, Mr. Chairman. If, in fact, a student qualifies within the charter of that school, that school must accept that student. So he is wrong. He is leaving the wrong impression when it comes charter schools. He is purposely trying to, I would say – and I don't want to use an unparliamentary term – leave the wrong impression. He's trying to leave the impression that charter schools are private schools, and that's not the right impression to be left on the floor of this House.

You know, at the time I was the minister, I gave an address at the charter schools annual convention, and it still resonates today. I said: the experiment is over. The changes that the Minister of Education has brought forward relative to the 15-year charters demonstrate that this government has recognized that the experiment of charter schools is over. They are a fundamental part of our education system.

I want to listen to the debate, Mr. Chairman, because I'm having difficulty with whether to support this amendment or not. The availability of the charter school has forced the public school system to do things better, but they don't and aren't always going to do everything. I've seen examples in Calgary where the public school system, in order to avoid having a charter school come into the public school system, will try its best to ensure that they deliver that service. It's not always easy to deliver the service. I think in many cases a charter service should be delivered by a charter school, not by the bureaucratic public school system. If we pass this amendment, I see situations where a public school board, unable to deliver what the charter school could deliver as well as the charter school could, will simply say, "Yes, we can deliver that," and will try and will deliver an inferior product.

As my colleague the Solicitor General pointed out, there's a reason why there's a lineup to get into charter schools. It's not, as this member tried to say, because they can discriminate, because they can do this, because they can do that. Charter schools are fully funded. He knows that. But he continues to try and leave the impression that that's not the case, Mr. Chairman.

I'm really a little bit reluctant to give the public school system, the one that has the largely union-dominated teachers' union within the public school system, Mr. Chairman – ensure that we don't have the ability to have charter schools operate within our system.

I would like to also make a few comments because I don't have the opportunity to answer the questions that our good friend the Minister of Education has to answer from our equally good friend from Calgary-Buffalo. I know the Member for Edmonton-Strathcona has the same view because their parties are very, very similar in philosophical beliefs and in attacks and a spend kind of approach to public policy.

You know, the private schools play a very important role in the education system as well. Yes, there is a role for a private school system. This member keeps asking the question: why do we partially fund private schools? Well, I'll tell you that one of the reasons we fund private schools is because it saves the system money. If all of these private schools were to shut their doors tomorrow, the total cost to this government because those children would have to be educated in the public system would be in the hundreds of millions of dollars. That has to go on the record, Mr. Chairman.

I am really not sure that I can support this particular amendment. I know that it's part of what the Member for Edmonton-Strathcona believes. I think her background was as legal counsel for – I can't remember – the ATA or the UNA or one of the unions, Mr. Chairman. Of course, she has some real personal interest in this. I'm interested in hearing the debate. I would like to ensure that we give every educational opportunity in this province. I don't think we should have to give somebody who is maybe not having the best interests of the children at heart the right to veto the approval of a charter school. In this province we have a limit to the number of charters that can be issued. Why can't we say that if it's within the limit, why does it need the approval of the public or the separate school board?

I think we need to think that one through, Mr. Chairman. I will take my seat and try and be convinced otherwise.

4:40

**The Chair:** The hon. Member for Calgary-Buffalo first.

**Mr. Hehr:** Well, it's always a privilege to get up and speak in this House. It is always interesting when we have differences of opinion, and that's a good thing, Mr. Chairman, because when we all think alike, no one thinks very much. I'll address this amendment, and then, hopefully, I'll address some of the comments made by the hon. Finance minister and possibly add a few comments of my own if I could.

I guess it's evident from question period and some of my comments that I am concerned about the fracturing of the education system. I don't find it particularly helpful if we have segmented groups or pockets of our population attending a multitude of different schools. If you look at, I believe, the experience of other jurisdictions who see a tremendous amount of fracturing in their education system, this has proven to be detrimental to the overall goals of societal advancement, of teaching in the main the electorate's children. In the vast majority you want to get them as well educated as you can as best you can, which is what the government should try to do.

I also like the fact that in this amendment that the hon. member has put forward, we are trying to enable the public school boards to address the sort of issues that parents may want addressed within the public system. It gives school boards the opportunity to work with a group of parents to see whether this choice can be accommodated because in many cases, in fact, my view is that a public education system that is properly funded, properly structured can provide practically all kinds of choice under the sun. If that were the case, then there would be no need for a private or a charter school. In fact, a public school system could and should and does offer choice.

I do also take some disagreement with some of the comments made. It seems like an awful lot of credit to the success of the Alberta education system as a result of charter and private schools, when, in fact, in the overarching main this credit has to go to our public education system as well as its partners, the teachers, and, yes, the Alberta Teachers' Association. I will remind the hon.

Minister of Finance that 95 per cent of our students attend these institutions and that in large part they're taught by ATA, or union, teachers that provide the bulk of results to, I guess, organizations that evaluate our student body. I think the overarching success of our students as a result of these testing procedures has to be attributed to both our students and our teachers in the public system. It's a misnomer to credit this to a choice system as alleged by the hon. Minister of Finance. I think that has to be clear on the record.

I also find his argument somewhat specious that there isn't going to be a cost savings as a result of private schools shutting down. To believe the hon. minister's supposition, one has to believe that all of the students who currently go to private schools would upon the government ceasing to fund these organizations return to the public system. If you look at that, that is simply not the case. That's not believable in almost any circumstance that you see out there. I'll point out the example, off the top of my head, of Strathcona-Tweedsmuir. The average income for parents sending their child to that school is \$374,000. Okay? At \$374,000 are they going to have no impetus in keeping their private school going and trotting along as usual and continuing to go forward? So to trot that out as an actual argument is, I think, ludicrous at best.

Furthermore, you know, just because a person is a taxpayer does not entitle your every whim and fancy to be funded. Let's take this case. If a person goes down to the United States and wishes to get medical care, we do not fund that choice to operate outside of our public parameters. That is their choice. This is government accommodation. Okay?

Besides that, the Supreme Court has stated in *Adler* that because you opt out of the public education system, there is no corresponding right or relationship to the government then sponsoring your select program. So I think the arguments given on cost savings by the hon. minister are specious at best and suspect. Besides, as the current hon. Minister of Education duly noted – and I respect him deeply for this – education is an investment. We should always look at it as an investment and not as a cost, like the hon. Minister of Finance has just done. Trotting out the argument “because it saves money,” if that were a valid case, simply makes no sense in the context of education. Education is an investment by our society, so trotting out an argument on cost savings in regard to that is simply ludicrous at best.

I would like to congratulate the Alberta Teachers' Association, our public teachers, and our public students for providing 95 per cent of the results to have us recognized as an excellent school system. I appreciate them for doing so and recognize them as the largest contributors to this success.

Turning back to the exact amendment, I believe that this is a good amendment. I believe it allows the public school system and our locally elected officials to try and accommodate unique student opportunities that may be out there if they can fit within that system. It keeps people within the public system, which I believe serves the greatest good for our society going forward, and it doesn't fracture our population unnecessarily on the basis of wealth or other arbitrary features that have really, in my view, not a lot of need for government support in the first place.

I thank you for the opportunity to speak on this bill, and I will be supporting the amendment. Thank you.

**The Chair:** The hon. Minister of Education.

**Mr. Lukaszuk:** Well, thank you, Mr. Chairman. A pleasure listening to both sides of the dialogue, one furthered by our Minister of Finance and then both members from the Liberal opposition. I have to tell you that as I'm listening to these debates,

what we are discussing is something that has existed in this province for dozens of years. This amendment, that the Member for Edmonton-Strathcona brought forward, actually has the exact wording of the previous School Act from 1988, so actually adopting this amendment would mean no change. The status quo from the School Act of 1988 would prevail.

4:50

As I hear these debates, it often seems that we are debating something new, something unconventional, something that's never happened, and something that can cause a lot of hardship to either one side or another. I'm noticing one thing as we continue doing this. I'm hearing from more and more stakeholders in the province saying: "Well, wait a minute. What is it that you're doing? Are you introducing something new? We're concerned around here." The fact is that it becomes abundantly obvious that those who should know this bill verbatim, it appears, may not have read it because, judging from the correspondence and the quantity of it that I'm getting from those who actually should be tasking themselves with knowing what's in this bill and were actually a part of drafting this bill, now they're surprised.

I have to tell you that when I hear the Minister of Finance raising concerns and then the members bringing in information that in some cases, when I speak about the Member for Calgary-Varsity, is nonfactual, I can just hear the printers in my office printing out letters from Albertans saying: "Oh, my God. Now, you're trying something new, something I didn't know about."

Let me speak to this amendment more directly. As all members should know in this House, in the old education act it was agreed that in order for a group of parents to file an application to the Minister of Education's office for a charter, their idea or proposed program had to be dismissed by a local resident public school. So the process looked like this. A group of parents would decide that they want a certain specialized program. That could be focused on a heritage language, it could be focused on arts, it could be focused on culture, it could be focused on science, or it could be focused on mathematics, any aspect of academia. The list goes on and on.

Under the 1988 current legislation, the School Act, that group of parents would have to approach a local school board and say: "There are enough of us to form a program. We would like you to accommodate us and have that program within the public school, be it Catholic or nondenominational." That school board was then given the opportunity and reasonable time to review the proposal to look at the demographics, look at the number of children, look at the viability of the program, look at the costs associated, whatever the case may be, and the board was given an opportunity to decide whether they want to encapsulate that program within the provision of public education in that school board or not. If the school board said yes, then that meant they would develop a local program, often with assistance from Alberta Education if required, and then they would retain the staff that was required to instruct that particular program, with the expertise that the program required, and life would go on. Children would receive that type of education in a public setting.

A good example, Mr. Chairman, would be certain language programs in both Edmonton and Calgary, for example, that I'm very familiar with, where a number of parents approached a school board and said: "We would like you to offer 30 per cent of curriculum instruction in a given language. Could you accommodate us? There are enough children in this town that we can actually keep your school filled, and maybe some other cultural aspects could be implemented into the curriculum." The school board approves it. Recently I attended a 30-year

anniversary with the Edmonton public school board of the Arabic program in Edmonton, that is enjoying great success in a number of schools within the Edmonton public school board.

Now, if the decision of the Edmonton public school board or any other school board, for that matter, was, "No; we don't see value in this program" or "We don't have the resources to offer the program" or "We don't see that you have enough students to make the program viable" or "We don't have the expertise within our staffing component to be able to develop and instruct that program" – the list may go on and on – then that school board would provide a letter of rejection and say that, no, they are not interested in accommodating your particular request. That letter of rejection would trigger, would allow that group of parents, if they choose to – they don't have to do it – to apply to the Minister of Education and ask for a charter.

Now, the department would also look at the viability of the program, whether they have a business case to run that charter. We look at facilities and other aspects of it. But if, indeed, it turns out to be a viable program and as a stand-alone program it can exist, a charter would be issued to that school.

Mr. Chairman, I have to thank the Member for Edmonton-Strathcona. We spent some time discussing this, and this amendment brings us back to the way things were when they seemed to work very well. We didn't have issues. School boards always were given the first opportunity of refusal. They always had the ability to provide a program within their own means. Where they didn't, parents successfully have been granted charters.

At the end of the day it's a small number of charter schools that we have, and they have a limited number of students that they can accommodate within a charter. We have recently, as you know, Mr. Chairman, actually expanded their ability relative to their permanence because they used to have to reapply every five years and convince the minister's office that, indeed, it still is a viable program. Now they will only have to do this once every 15 years. We have also allowed them to grow into space because some charters simply allowed fewer students in the charter than the school building would actually accommodate, so we allowed them to grow into the space. Some charter schools actually have quite extensive waiting lists. They tend to be popular among some parents in certain programs.

Now, if we were to adopt this bill, we would revert to 1988. We would allow parents to formulate charters but only – only – if they were refused by a local resident public school, giving public schools the first right of refusal. Why do we do that? I know that some parents in the charter schools now might be saying: "Oh, my gosh. Our right and ability to formulate charters will somehow be diminished." No. It'll be exactly the same as it was. But it is important for us, for Albertans, who are big supporters of public education, to give public school boards the first right of refusal and to support public education that way and allow school boards, elected school board trustees, to have the ability to implement a program.

Mr. Chairman, I want to reassure all those who are listening to our debate right now and are prospectively typing up letters saying, "Please do not (a) open the season on charter schools or (b) get rid of charter schools" that none of that is happening.

This debate on this particular amendment is only about the fact that the Member for Edmonton-Strathcona wishes to preserve the status quo relative to charter schools. She wants charter schools to exist in the format that they have, where public school boards are given the first right of refusal. I strongly support adopting this particular amendment and voting in favour of it and passing it.

Thank you very much.

**The Chair:** The hon. President of the Treasury Board.

**Mr. Horner:** Thank you, Mr. Chairman. I rise because it's one of the first opportunities that I've had to speak on the bill and also that I have had a lot of discussions with my constituents over this bill. As I see it, this is the first time I've seen this amendment.

Mr. Chairman, I want to start off by saying that I'm a big supporter of the public school system – I went to a public school; my kids went to a public school – but I'm also a big supporter of the charter system, the private system, and the choice that we have within our system for parents to make that choice. I was very pleased with the change in the amendment to the preamble that

recognizes that parents have a right to choose the religious and ethical traditions in which their children are raised;

That's very important to me.

that a child's education begins in the home;

That is very important to me.

that parents play a foundational role in the moral and spiritual formation of their children;

I think it goes without saying.

and that these principles are reflected in the commitment of the Government of Alberta to provide parents with choice in education, including public schools, separate schools, Francophone schools, charter schools, private schools and home education programs.

I'm going to make a few comments, and I'd ask the hon. member that if she has an opportunity to respond, perhaps with answers, it may change the way I'm going to vote on the amendment.

I actually have before me the old act, which in section 31(2) says, "An application may be made to the Minister only if the board of the district or division in which the school is to be established refuses to establish an alternative program under section 21." Your amendment basically mirrors that, I believe, more or less. It was there, obviously, for a purpose before. It was there to ensure that we weren't doing a lot of duplication, as has been brought up in the House already. It was there to ensure that our funding mechanisms are fair to all taxpayers and to all concerned.

Then I read what is in the current act, which is:

- (1) A board, person, society or company may apply to the Minister for the establishment of a charter school.
- (2) An application must be in the form and contain the information prescribed by the regulations.

I see that in the old act. Again, 31(3) is:

An application must be in the form and contain the information prescribed by the regulations.

**5:00**

Then there's section 32, which talks a lot about that the school should have

- (a) . . . significant support from the community in which it is to be located,
- (b) the program to be offered by the school will potentially improve the learning of students as it is measured . . .
- (c) the program to be offered by the school is not already being offered.

I'm actually thinking, Mr. Chairman, about a number of places where I know of schools that, perhaps, might be on a military base: very, very focused on the families of our military personnel serving overseas. You know, there's a special situation for children of our military personnel because they do move around a fair bit. They are almost a family unto themselves in terms of the support network for the families when their moms and dads are away and overseas. I think it does work very well.

As we saw today, actually, I think, in the Assembly, we had members of military families from one of the schools on the base here. Now, that school is in the public system, but again it's centred around what they're doing on the base. That's a good thing. I think, Mr. Chairman, that there may be charter school opportunities down the road that are centred around those kinds of issues.

I understand what the hon. member is talking about when she says that, you know, the public sector or the public vision must get first right of refusal, if you will. I understand what the hon. minister was talking about in terms of trying to find that balance. In truth, in much of the legislation that we do, we're always trying to find the balance that best serves Albertans across the board. In this case we're talking about the application of charter schools. We're talking about the balance of parents being able to choose to go there and, then, also to establish that charter.

I guess to the hon. member's position on this, when I look at sections 31 and 32 of the old act and the conditions that were around that and I look at the conditions under 25(1) in the new act, "The minister may issue a charter," which are fairly significant, you know, in terms of what the charter schools can do and how they're going to have to operate, there are a lot of conditions there. I'm kind of wondering if that doesn't already do what the hon. member is trying to accomplish by way of the conditions that are in the act as opposed to saying that the application much be first approved by the board, actually, as opposed to being approved through these conditions that the minister sets out.

I would hope that the hon. member would be able to clarify that for me. As I said, Mr. Chairman, it may actually lead to my looking at where my vote might go on this particular amendment. With that, I'll take my seat.

**The Chair:** The hon. Member for Edmonton-Mill Creek.

**Mr. Zwozdesky:** Thank you very much, Mr. Chairman. I rise to speak probably in favour of this particular amendment brought forward by the hon. Member for Edmonton-Strathcona, which would amend section 24(1) of the act that we're debating, the Education Act. I do this because in studying the section in question, it talks about charter schools, and it says:

Application to establish charter school

24(1) A board, person, society or company may apply to the Minister for the establishment of a charter school.

The amendment would actually add another small section right after that, and it would read as the amendment reads:

(1.1) An application may be made to the Minister only if the board of the district or division in which the school is to be established refuses to establish an alternative program under section 19 as requested by the board, person, society or company.

As I read this amendment – I hope I'm on the right amendment, Mr. Chair. Yes?

**The Chair:** Yes.

**Mr. Zwozdesky:** This is it? It's got a number, A7?

**The Chair:** Yes.

**Mr. Zwozdesky:** Thank you.

As I read this particular amendment, I have to first of all make it clear as to what an alternative program really is because I sense from some of the comments made by one or two members that they may not be as up to speed on what the alternative programs are.

Now, alternative programs are, actually, specially designed, specially created programs that give students an opportunity to excel in one particular area. In other words, it channels their interest into an area which they might feel passionate about or which they might have some expertise in or perhaps they're just curious about, and it gives them a chance to just hone in on that. There are hockey programs. There are numerous other sports programs. There might be fine arts programs that help students to develop those particular talents.

We also have other programs that focus on languages. We have bilingual programs that give students a skill which helps them grow not only within that particular language group but as citizens of the world. It gives them a unique opportunity. In Edmonton, for example, we have Ukrainian bilingual programs. We have German bilingual programs. We have Japanese bilingual programs. We have some Spanish programs. In my riding, for example, we have Chinese in two languages, and so on. It's remarkable to me that these language programs, which are language schools, are all one form or another of alternative programming.

Think where we would be if we hadn't started to introduce those. Those points came about as a result of innovation that drove the system toward exploring other ways of delivering education or other ways of expanding a child's educational opportunities. This year, for example, the Chinese community is proudly celebrating the 30th anniversary. I think the Ukrainian community will soon be celebrating the 40th or so anniversary of those programs. So we have some of those types of programs that have come about. I mean, there are other programs. I believe there's the Logos program, the Cogito program. There are religious programs. There are a number of things.

What drives me to make these comments, Mr. Chairman, with relation to this amendment is that there are a number of different people living in our province that have different points of view who need a chance to express those views and to have them taught to their children. This is at no expense whatsoever to the public system or the Catholic system. As everyone here knows, I'm a strong supporter of our public system. In fact, when I was Minister of Education, I presided over some important innovations that we as a government and as a caucus had brought in. People will remember the Alberta Commission on Learning report. There were a lot of items in that report that talked very specifically about innovative new approaches to teaching and learning.

Charter schools are, of course, one of those success stories. Today we have a number of these charter schools, and all of them are performing very, very well. That is why you see lineups to get into them. But that's not at the expense of the public or the Catholic system, as some members here would allege.

You have to understand why charter schools were created in the first place. They were created to fill a perceived void, which is now proven, in the system in one case and, on the other hand, to allow for innovative, creative, new ways of teaching to occur and, hence, of learning to occur as well. That's why this particular section that's being amended goes on to describe here that charter schools focus on new and different learning styles. You have to have a place where they can be brought to bear, but they only come into action if the public system doesn't already offer them.

In fact, when charter schools first came about, they came about so as to help drive innovation in the public system, and that's why this amendment is of great interest to me. We know that there are great ideas that have come about from charter schools, some of which, Mr. Chairman, may well have already been adopted and incorporated into the public system, some of which maybe are still being studied.

The charter schools are one of our great success stories in this province and, again I stress, not at the expense of any other system because we pride ourselves in the options that we have. Those options that we have, Mr. Chairman, which is what the charter schools are all part of, have driven us to great fame on the national scene as well as on the international scene. How else would you know it to prove itself other than to look at the results of our education system in Alberta?

Let's be darn proud that in 2010 Alberta's grade 8 students achieved the highest marks in Canada in science, the second-highest marks in reading, and the third-highest marks in mathematics. In 2009 our students were second in the world, Mr. Chair, in reading and in scientific literacy, and eighth in the world in mathematical literacy. They were motivated to achieve that because we weren't afraid to look at innovative, creative new ways of delivering education.

5:10

You have to thank the teachers who were behind all of this. The teachers have done an outstanding job. During my tour of the province while being Minister of Education, I held well over 1,000 meetings with school boards, with teachers, and with parent groups, and I can tell you that they appreciate the options and the choices that we provide. It doesn't matter if it's charter schools or public school boards or Catholic boards or home-schooling or alternative school programs or immersion schools or whatever they might have been called. There is great innovation happening on many, many fronts.

The final couple of things that I just wanted to mention here with this amendment – one part that particularly appeals to me is that the applications for charter schools must follow a guideline, and that guideline, as the amendment says, suggests that only after an alternative program has been reviewed and, perhaps, not endorsed by a public system can a charter be granted. I think that's a good rule. It's a good rule because it allows the public system to still have a look at some of these ideas, but it doesn't curtail innovation, creativity to come forward. I'm quite supportive of what I see here on first blush.

The other part of allowing this particular type of amendment to succeed goes to the area of the rights and privileges that we enjoy as Albertans to make choices with and for our children. I get frustrated sometimes when I hear some members championing the rights and privileges that we ought to have in this province, and then when we present an opportunity for some of them to be exercised, they seem to speak against them. Well, you can't have it both ways, Mr. Chair.

I am of the opinion that we have a free society here and that charter schools have a very important role to play in that, but it should never be interpreted as being in competition with or against public education. That's simply not true. We as a government are providing the largest amount of money ever for public education in the history of this province, in total about \$6.8 billion this year. When you couple that with a guaranteed funding scenario of three years where better planning and predictable planning can occur, you can see already that there will be even greater improvements to come.

Why else would we be attracting people from all over the world who are coming here to study our particular education system? We have a uniform curriculum that people can use, choose, adapt, or suit as a guideline for their own learning purposes. We have the greatest number and variety of choices in the programming, including charter schools, which is what this amendment is all about, and it includes some of the most creative teachers in the world right here in our province. We should be darn proud of that.



So I have no problem supporting this particular amendment that the Member for Edmonton-Strathcona has brought forward because I think it helps move us in the right direction while providing the safeties that perhaps others might be looking for.

With that, Mr. Chair, unless I hear something to the contrary, I will be able to support this particular amendment. Thank you.

**The Chair:** The hon. Member for Calgary-North West.

**Mr. Blackett:** Thank you, Mr. Speaker. It's a pleasure for me to stand today and talk to this amendment. I know a lot has been said. A lot of the comments I agree with; some I disagree with. The most important thing for me is the fact that we're talking about children.

We're talking about their education. We're talking about their future. We're not talking about numbers. We're not talking about a statistic. We're talking about young lives and the training of those young minds to be our future leaders, our future teachers, our future geophysicists, our future engineers, our future farmers, all the future leaders, the people who are going to run our businesses, keep our communities, and make sure that we have a better quality of life. Hopefully, 20 years down the road when we're going to need all those other services, they're able to take care of us and provide some of those.

This isn't about, as is mentioned repeatedly, a choice of one versus another. I happen to have two children in the Catholic school system in Calgary, and they're in a French immersion program. But often, as their mother and I have discussions, we look at different choices, and we're blessed, and part of the reason we were attracted to come to Alberta 12 years ago was because you have choice. Part of that choice was fostered by the creation of charter schools.

I remember living in Ontario and reading probably 15 years ago that there was a charter school that actually ran 12 months of the year. They actually utilized that building 12 months of the year in three different semesters. Students took their vacations at different intervals of the year, but they ran it year-round. I thought to myself: wow, what a unique way to get value for money, by utilizing that building that you have to pay for for 12 months anyway, operating and using it year-round. That's innovation. That's a fantastic idea. The more and more I read about them, the more and more I got attracted to that idea, and I realized that Alberta is the place that created them.

Alberta is known for innovation. Alberta is known to be a leader. We're known also for our education system, which is second to none in the western world. Part of that is the choice we have, whether you want to have public education, whether you want to have a Catholic education, if you want to have a charter school, if you want to home-school, if you want to have private school.

I really do take issue with the Member for Calgary-Buffalo, who decided to start taking a shot at a group of people, those students from Strathcona-Tweedsmuir, and discriminate against them, that just because their parents happen to be hard-working people who have been successful, somehow they should be denigrated and shouldn't be given the same opportunities as everybody else. We don't care what their income level is. We don't care which part of the province they live in. Every child in this province has the right to an education in the K to 12 system, and we as a government and we as a society have the duty to make sure that we give them that.

In this amendment I like the fact that we're going to preserve the ability for the school boards to have that right of first refusal. They may decide they want to create another entity that's similar

to what the charter school has, but they have a constriction on the amount of finances they have. Our Calgary board of education, for instance: a billion-dollar budget. It seems like a lot of money, but that is in a city where our population is continuously growing. They have to always focus on the core competency and be able to maintain the level of education for the students that they have. They may not have the wherewithal to be able to try to teach some other things such as a different sports program, whether it's hockey or gymnastics or golf or whatever that is. They may not have the wherewithal to have a particular type of language training program, whether it's French immersion or Spanish immersion or whether it's Cantonese or German or Mandarin. They may be an arts immersion program or a science school, and they maybe want to have that in a certain quadrant of the city because it makes more sense.

Because they have the choice, if parents, those same people who ultimately we allow and we support and who should make the decision on their children's education, decide that they want a particular program and if that school board is not able to provide that, they should be able to establish a charter school. Because of that choice and because of where we live, they are able to do that. We have some of the smartest people being created because of the great work of our teachers, the great work of our staff at our different schools, because of the principals and the whole organization – the school boards, the parent councils – that supports them to make them what they are, and we need to continue to do that.

Not only is it important that we look at this choice and this ability because it's what helps us with our students and those kids, that are ultimately important for the future of this province and ourselves, but it's important because of the context of what that does for our ability to attract those people. Yes, we create geophysicists, and, yes, we create surgeons. We create nurses, and we create bricklayers and all those other things, but because we live in the booming province that Alberta is and we're going to be short some 114,000 jobs, we've got to attract people to our province.

**5:20**

We've got to attract people in a multitude of disciplines, and when those hard-working, high-income people, those people that have great talents and specific talents, those \$374,000-a-year people that we'd love to have here and that every other jurisdiction in the world would love to have in their jurisdiction decide to come, well – guess what? – they come with a family. They want to know that what they're going to get in Alberta is going to be second to none. They want to know that they don't have to give up anything when they move here for the benefit of their family. They want to know that they're going to provide their children with the best possible education, the best possible chance at life, and be in an economy, in a place where they're going to get a job and be able to move forward and support their own family.

I can tell you that I know from the people at Imperial Oil, when they were looking at moving their headquarters from Toronto to Calgary, they looked and they realized that the salary is going to stay the same, and that wasn't the driver. The drivers were: am I going to have to give up my theatre tickets, and am I going to give up my hockey tickets? I dare say that the Calgary Flames are a bit better hockey team than the Toronto Maple Leafs, but I digress. The other part is that they didn't want to have to forgo the education. From the private school that they gave up in Toronto, were they going to have to take a step back and go for something substandard here in Alberta? They didn't. What they realized was that not only were they as good, but in many cases they were

better. The choices that they had were incredible, all the different choices that have been mentioned, and I don't have to list them again.

But it is imperative for us to be a leader, to maintain our stature, to maintain our standard of living. Not only do we invest in education, but we let the world know that we believe in education and that we believe in choice. Charter schools have helped our public education system become more innovative. Competition sometimes does that. They're providing spaces that our public schools couldn't necessarily provide.

You know, if we build 50 more public schools in Calgary alone and if we build another 10 in Edmonton, we would fill them quickly. We don't have that ability today. We're forced to look at being more innovative, and I believe our charter schools have helped us do that immensely.

I would support this amendment. I would support the great principle that we have here in Alberta of not only being first but also promoting choice and having the charter schools, which allow our whole education system, our publicly funded education system, which is second to none in the world, to continue to be great. It's not important that we do that just now for 2012. It's as important to have that in 2022, 2032, and for years to come to maintain our status as one of the greatest places to live in the world.

Thank you.

**The Chair:** The hon. Minister of Tourism, Parks and Recreation.

**Mr. Hayden:** Thank you very much, Mr. Chairman. To the hon. member: I would like to support you. I would like some clarification, though, from you on your amendment. I base this on my experience with the public system as a former trustee and a former school board chair.

I believe the public system offers a wonderful option. In the amendment I see that we're talking about the opportunity to give the public system an opportunity to offer, if I read this correctly, what parents, the society, or the group are coming forward with as a proposal, giving the public system the opportunity to offer that.

I have to say, though, Mr. Chairman, that because of my experience in the business – on school boards and as a school board chair – the determination of whether that full offering is going to be there or not is the area where I do have some reservation. Coming from the community that I come from, this amendment actually adds another area because the public system has been so supportive of my family and my children. It was able to respond in a remote and rural community to their needs. But as I've watched the systems develop and charter systems develop, I've seen opportunities put out there for students that haven't been available in other instances.

I've seen people, Mr. Chair, for the charter option being very much in favour of what we're offering in this province by curriculum, and I'll give an example. The Northwest Territories have adopted the curriculum of Alberta. Why have they done that? They've done that because we always rate within the top five in the world for our education system and most recently in the top three. When they've had the selection of all other curriculums across the entire nation, they've picked up ours.

To add to that, I know of a student that is now thinking and considering with their family to actually relocate in Alberta because of an opportunity that is available in a charter environment that will meet the needs of this student, meet not just the needs but meet the interests, and take it that extra step and take it beyond where the public system now offers programs.

I go back to the amendment and the clarification that I need. The thing that concerns me a little bit is that between the offering in the public system, that's available in two schools in our province, and what the charter school offers, there are some differences. This family is going to have to make a decision whether that charter option is the one that is actually going to be the best for that student.

There are some expense implications also because of the location of the school and the different costs for them to attend and the advantages that the charter option has. I think that what my concern is and what I'm going to need an answer on is: who makes the determination that the offering of a public system is what that group wants? In effect, does it go far enough? Does it meet for those students and that family or that group what their expectation is? Does it meet what they believe is possible for them to go forward with and put together in a program that is going to offer the kinds of things that they require?

Mr. Chairman, I think that we've got a great deal to be proud of in this province. I don't think it would have been possible for us to have achieved the type of excellence that we have in Alberta for our students had it not been for the fact that there are choices out there. While I believe that public schools have responded wonderfully to most of those situations, I think the charter school operations that are taking place in the province right now are positive proof that we can step outside of that.

I also think, Mr. Chair, that the things that we teach now and the opportunities that are there for students are there all over the world. We're in an enlightened society now. People are very mobile, especially professionals. There's availability of work all over the world for these people. If we do not offer the options that they request and require, they can easily go shopping at the airport. That is the suggestion that I make. You can go to the airport, climb on a plane, and get anything you want in the world, including a variety of educational opportunities. It's important that we don't limit those opportunities for the citizens of this province. It's those opportunities that have made our provincial system as strong as it has been. That competitive edge has never hurt in anything, really.

What I would like to ask the hon. member – when they get an opportunity, if they can respond – is if they have an idea, when a group comes forward and says, "This is what we want to offer," how far the public system will have to go in offering that before we would refuse a charter the opportunity to do that.

With those concerns, I'm supportive. I want to support the amendment, but I want to hear who's going to be the judge and jury on whether the public system is actually going to offer what these people are trying to accomplish. Maybe the member could clarify that. I do want to support the member on their amendment.

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

**Ms DeLong:** Thank you very much, Mr. Chair. I did rise last week and talked a little bit about public education and how incredibly successful our public education is in the world. The last couple of speeches have been essentially about that issue and how it's through competition that the public system has really outdone itself and become better and better every year, and our children are the ones who have really been benefiting from this.

5:30

Regarding this particular amendment around charter schools, it does bring to mind the situation that the public board is in in terms of one of their biggest advantages, which charter schools have not

really caught onto yet, and that is that the public system has schools in many neighbourhoods.

I think that sometimes they just look at it as: "Oh, well. You know, we've got all these schools in all these communities." Sometimes those schools are not full. Those schools are not full because of all of this competition, all of these charter schools and private schools out there and the special programs that they themselves have set up.

They are sometimes not realizing the gems that they do have when it comes to having a neighbourhood school. When they have a neighbourhood school, they have an opportunity to bring those parents in as a community, to use that neighbourhood school as a community resource, and to really become part of the community.

I know that some of my schools have been doing an excellent job of this. Bowness high provides all of these services to the surrounding businesses. They are actually a valuable technology centre for the whole community. They provide services to the businesses. They teach seniors how to use computers. So they are very much becoming an integrated part of the community.

Yeah, this is wonderful for the community, but it's also wonderful for the students. They start feeling really connected. They feel a part of the community. They feel that they are a valuable resource to the community, and so their sense of abilities and their sense of who they are become much stronger.

This is one of the strengths that, you know, what we call the public system has that they should be possibly taking more advantage of. At some point I expect that there is going to be someone who comes along and says: "Okay. I am a special charter that is for the local neighbourhood school. I am a special kind of charter that really fits right deep down into a community, and I'm going to start taking that on."

I think that at that point the public system is going to really realize the gems that they do have in all of these community schools and realize another strength that they can bring to the public school system in Alberta.

When it comes to this amendment, I'm hoping that this is going to be one of the things that really wakes them up to one of their strengths so that our schools really become a much more integrated part of our communities.

Thank you very much.

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

**Mr. Chase:** Thank you. I find this a very bizarre circumstance, the government filibustering to potentially prevent their own bill from getting out of committee and into third and quickly being passed.

**Mr. Hancock:** Point of order.

#### Point of Order

#### Allegations against Members

**Mr. Hancock:** Under 23(h), (i), and (j), making allegations, the hon. member would suggest that members of this Assembly do not have the right to debate a bill and amendments before the House. Bill 2, the Education Act, is one of the most important bills, in my humble opinion, that this House might ever be able to address. Education of our children is extremely important.

An amendment has come forward to this bill to deal with charter schools. The hon. member knows even from his own comments earlier on in debate on this section that charter schools are fairly controversial even with members of this Legislature on any side of the House and particularly in our caucus. These are not

easy decisions that are made. These are decisions that are debated long and hard before we come forward with a bill.

An amendment has been brought forward. It's an amendment which strikes a chord because it's one of the key pieces of the establishment of a charter school. Do they have to get a refusal first from the local school board or not? That is a critical piece of the debate. For this hon. member to suggest that in order to pass this amendment quickly, members on this side of the House who have expressed viewpoints on this issue shouldn't get those views expressed on the record before we vote on it is absolutely untenable. It's absolutely untenable that he would suggest that anybody is filibustering, when people have every right to speak on an amendment, particularly one which triggers such a response in his own city, as he should well know.

**The Chair:** Hon. member, I heard the point of order, and I heard the statement from the Member for Calgary-Varsity that created the point of order, so I don't need to linger on this. Basically, I think you probably just continue, withdraw that imputing of the other hon. members here dragging on the bill, and so on. Just carry on.

**Mr. Chase:** By all means, if I impugned negativity, if I suggested in any way a halting of the democratic process, please, I apologize to all members of this House, and in my apology I call the question on the amendment unless, of course, there are other individuals at 25 minutes to 6, long after this amendment was first introduced, who wish to debate the importance of this amendment.

Thank you.

#### Debate Continued

**The Chair:** Get on with the amendment.

**Mr. Chase:** It's in the government's hands as they see fit.

**The Chair:** Thank you.

The Minister of Advanced Education and Technology on the amendment.

**Mr. Weadick:** Thank you, Mr. Speaker. After that discussion that we had, I will be very, very brief on this one. I was interested to see this because, oddly enough, in the early 1990s I had the privilege of going through this exact process, Mr. Chairman. In Lethbridge we had a lot of youth that didn't have the kind of services that we really needed, and we found youth on the street and not completing school. So we got together as a community group, and I had the privilege of working with a group and founding the Lethbridge Youth Foundation and 5th on 5th Youth Services. As part of that the project did work readiness and young parenting and work experience, youth employment, all those kinds of things. We also had an alternative education program within that and 2,500 young people per year would go through this centre.

When we tried to start our alternative education program, we went through exactly the process of trying to determine: can we work with our local school district? Can we get a charter? Mr. Chairman, these were the rules of the day, and so we put together an approach to school district No. 51. We approached them with our idea around an alternative school. We met with them, and it took some work because the school districts, of course, were concerned about the cost of alternative programs. Ultimately we worked with them, and they determined that if we could provide an alternative program working with them that didn't cost the district money, taking it away from other programming, they

would be willing to work with us. We worked with school district No. 51. We came up with a project they supported, and we had a wonderful relationship.

It worked through this process. Ultimately the school district did take on the alternative program, and this did work to help us. Having that relationship with the school district was very positive because they brought resources. They provided superintendency to us and some financial management support. Mr. Chairman, having your school district as part of your group can be incredibly helpful, especially in providing an education program. We managed that together for many, many years. Ultimately they moved the program to another location where they were able to manage it, but we still maintained an alternative program for hard-to-serve youth in Lethbridge.

**5:40**

Mr. Chairman, you know, this amendment, I think, does speak well to the partnership and the relationship with school districts in alternative programs. I'm sure there are opportunities or times where the only choice will be a charter school, but I think that if the district can offer it, that is the best option. I think that if we can work with community organizations in a relationship, if we can have community groups and schools working together, isn't that the best way to teach our kids?

From my perspective, Mr. Chairman, this is actually a positive amendment, and I'm happy to support it as well. I will be supporting this amendment.

**The Chair:** Any other hon. member wishing to speak on amendment A7?

Seeing none, the chair shall now call the question.

[Motion on amendment A7 carried]

**The Chair:** Back to the bill.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. In light of the hour I'd like to move that we rise to report progress and beg leave to sit again.

[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:** Does the Assembly concur in the report?

**Hon. Members:** Concur.

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

The Government House Leader.

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

[Motion carried; the Assembly adjourned at 5:43 p.m. to Thursday at 1:30 p.m.]





## Table of Contents

Prayers .....	719
In Memoriam	
Mr. George Topolnisky, August 13, 1919, to March 19, 2012 .....	719
Introduction of Guests .....	719
Ministerial Statements	
International Day for the Elimination of Racial Discrimination .....	720
Statement by the Speaker	
Tablets and Other Electronic Devices in the Chamber .....	722
Oral Question Period	
MLA Remuneration .....	722
Long-term Care Serious Incidents .....	723, 728
Donations to Political Parties .....	723, 724
Fixed Election Dates .....	724
Physician Services Agreement in Principle .....	724
AIMCo Investment in Viterra Inc. ....	725
Home-schooling .....	725
Affordable Housing .....	725
Collection of School Fees .....	726
Fort Saskatchewan Community Hospital .....	726
Long-term Care Accommodation Rates .....	727
Residential Construction Standards .....	727
Electricity Prices .....	728, 730
Agriculture Financial Services Corporation .....	728
School Capital Construction .....	729
Community Spirit Program .....	729
Members' Statements	
Villa Marie Continuing Care Centre .....	730
Integrity in Government .....	730
Alberta Association of Municipal Districts and Counties .....	731
Highwood Constituency .....	731
Rural Integrated Community Clerkship for Physicians .....	731
Brenda Lee .....	732
Tabling Returns and Reports .....	732
Tablings to the Clerk .....	733
Orders of the Day .....	734
Government Bills and Orders	
Committee of the Whole	
Bill 2   Education Act .....	734

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