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First Session

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The Honourable Gene Zwozdesky, Speaker

Legislative Assembly of Alberta The 28th Legislature

First Session

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Party standings:

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Legislative Assembly of Alberta

7:30 p.m.

Wednesday, October 24, 2012

[The Deputy Speaker in the chair]

The Deputy Speaker: Please be seated.

Government Bills and Orders Second Reading

Bill 8

Electric Utilities Amendment Act, 2012

The Deputy Speaker: The chair recognizes the hon. Minister of Energy.

Mr. Hughes: Thank you, Mr. Speaker. Well, I'm pleased to take the bill to the next level of debate this evening. The legislation is designed in order to ensure that we create a change that's recommended by the Critical Transmission Review Committee, the recommendations of which were accepted by the government of Alberta earlier this year.

Essentially, that committee – and they listened to Albertans; they took feedback from Albertans – recommended that the four critical transmission projects in the province be proceeded with, which the government concurred with, and also recommended that the legislation be changed in order to ensure that all future critical transmission decisions and recommendations are made by the Alberta Utilities Commission. In that respect, we have here a bill which deals with that.

So, Mr. Speaker, I'm pleased to recommend to the House that this legislation move forward and that we allow the important recommendation from the Critical Transmission Review Committee to be accepted. Thank you.

The Deputy Speaker: Thank you, hon. minister.

The chair will now recognize the hon. Member for . . .

Mr. Hughes: I move to adjourn.

[Motion to adjourn debate carried]

Bill 1

Workers' Compensation Amendment Act, 2012

[Adjourned debate October 23: Mr. Wilson]

The Deputy Speaker: The chair will recognize the hon. Member for Rimbey-Rocky Mountain House-Sundre.

Mr. Anglin: Let me make sure I get this right. We're talking about Bill 1. Is that correct? Thank you very much. You didn't make your motion. I was going to get up and speak on Bill 8.

Thank you, Mr. Speaker. I rise to speak for this bill. I, too, would like to thank the Minister of Education and the government for listening and making the changes that you have made. In my riding, and even before . . .

Some Hon. Members: Bill 1.

Mr. Anglin: I'll get the numbers right. All right. When I saw the member over there, I knew which bill I was looking at.

As a former first responder . . . [interjections] I will say that the Minister of Energy did a great job throwing me off track when he didn't put the motion forward.

But this is serious. This is a very good bill in the sense that it does put the onus on the WCB to provide care for this posttraumatic stress disorder. It was mentioned a little bit earlier – and it's really important, and that's why I asked to speak to this bill – that this type of disorder doesn't just necessarily appear. It is something – and I think we all know this – that does come over time. It is something that is absolutely significant.

At 17 years old I went off and joined the Marines, and I lost friends in the process. Now, I lost friends in action, but I lost friends when they came back because they didn't come back. They were different, and they didn't survive. I can look back now and say that that was posttraumatic stress disorder. When I was a police officer, we had counsellors that actually worked in the police department. It affects everybody so differently, and how it affects them is really important as to how they're treated. In putting the onus on the WCB, I want to thank this government for bringing this bill forward.

I think it is extremely important that we do one more thing. I brought this forward. It's important to me because this is an issue that was brought up, and we will be making a motion to this later. In the definition of the bill we've left out a few occupations that I think are significant, and some of them were actually brought here today.

One of those was correctional officers. When I look at first responders, to me the definition of the first responder is who you call when you're in trouble and who will put their life on the line to protect you or to serve our best interests. Correctional officers do that. When there is trouble in a prison, they are the ones that have to step forward and risk their lives, risk danger to subdue or do whatever they have to do. They also are subject to a tremendous number of other scenarios that can bring on this syndrome.

Mr. Speaker, this bill does cover firefighters, and this bill does cover volunteer firefighters. I will be introducing an amendment which actually deals with the Municipal Government Act more than this bill, but they're tied together in the definition of what a volunteer firefighter is. Now, this act will make sure that volunteer firefighters are covered. That's not the issue. The issue is: when somebody is covered and they are suffering from posttraumatic stress disorder, do they need the aggravation from some bean-counter at a municipal level trying to make an argument about whether they're an employee or not an employee? It is a grey area in the Municipal Government Act that has been there for quite a long time. As I researched that issue, a number of municipalities have had to deal with it over a different set of times.

Let me explain what goes on. Volunteer firefighters are generally not paid, hence the term "volunteer." But some communities actually remunerate their volunteer firefighters by a set fee. Others will remunerate them based on a wage. Others will pay them so much for calls and so much for training. If you look at our employment act, which has what the definition of "employee" is, it says that it's anybody who gets a wage. But when you look at the definition of volunteer firefighter, it's not clear. So these volunteers get hung up. Every now and then it pops up. The law firm of Brownlee will actually confirm this for anyone who wants to check it. It's been around a long time. It's just been a headache.

Looking at this act, that it wanted to cover the volunteer firefighters, I thought this would be a good opportunity to clear up the definition of a volunteer firefighter. All I did was look at the act, and I'm going to submit this, that says that regardless of the remuneration, they are still volunteer firefighters. If someone is suffering from posttraumatic stress disorder, the last thing they need is some bureaucratic headache, trying to figure out something that might not even be associated with it. The fact is

that they don't need that headache. All I was asking for in these motions I'll be bringing forward is clarification on the definition.

7:40

Beyond that, let me just share my experiences in dealing with this issue. It is dear to my heart. I served in the military. I served as a police officer, and then I also served on the Canadian Coast Guard fast response search and rescue off the coast of B.C. I have to tell you I can share all sorts of comical stories, but I can also share some very personal stories of having to deal with some pretty traumatic stuff.

I will tell you, from going through the Marines and being a police officer, that there's something extremely traumatic when you find a child that has drowned. It really sets a person in a different frame of mind when you see the innocent life. How do you live with this? How does it work with you over not just the next few days but maybe even the next few years? In my case I still have several memories in my life. I can still see these people. I'm still haunted. Now, some might say I suffer from post-traumatic stress disorder; others might say I suffer from something else. The point I'm trying to make is that when there is an actual diagnosis, the thing we need to do is make sure the care is there. I commend this government for taking this step.

I just ask you to take a look at the definition and look at some of these people like the corrections officers and keep in mind – we all know this – that there are police officers, there are people in the military who never see front-line duty, but there are social workers that work for the police department, and they are on front-line duty. There are social workers in the prisons that are on front-line duty. That distinguishes them as something separate from other social workers. It is something to think about. Who is that front-line person? Who is that person that puts themselves out there first on that first call? That's important.

Corrections officers, in my mind, without question are in harm's way every time they show up to work. Police officers, every time that call comes, are in harm's way. Firefighters, every time that alarm rings, are in harm's way. That's really important. To me the definition is: if you put yourself in harm's way, you are a first responder.

Thank you very much.

The Deputy Speaker: Thank you, hon. member.

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

Seeing none, I'll recognize the Member for Calgary-South East.

Mr. Fraser: Mr. Speaker, thank you. It's an honour again to stand before you in this House and speak again to this bill. I commend the hon. Premier for introducing this bill and protecting the people on the front lines. Certainly, as a paramedic for the last 13 years in this province, I can tell you that many times I've held lifeless bodies in my hands, baby children. I've sat alongside members in the ambulance that are going through home troubles. Police officers, the same thing: they live a regular life just like all of us, and they go through the same trials and tribulations. But at the same time, like the member has stated in this House, they step out and they put it on the line. They put all their own misery away, and they save those that need saving. They witness the carnage on the streets.

I can tell you about one of the things, and it was mentioned yesterday. When we talk about the idea that many people aren't reporting it, it is the culture of first responders to take care of one another in those times. Through critical incident debriefing we recognize when somebody is going through that time, when they're under stress, and we deal with it at the time. We collec-

tively come together. It's a good mechanism. Whether it's the city of Calgary, the city of Edmonton, or provincial entities, I know that they're very caring people, and the critical incident debriefing teams do a great job of making sure that they catch many things. In the instances when they don't, it's clear that this government has made a commitment to protect our first responders and make sure that they continue to live life and have a fruitful life with their families.

Again, I commend the Premier, and at the same time I commend all those right now, as we speak, holding the lifeless bodies, picking up after the carnage on the highways, and stepping up for those who can't step up for themselves.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

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

Seeing none, I recognize the hon. Member for Airdrie.

Mr. Anderson: Thank you, Mr. Speaker. I don't want to take long by any stretch, but I do want to stand on behalf of the Wildrose caucus and give our full support to this bill. Obviously, we have a couple of amendments that will be brought forward. Specifically with regard to our correctional officers that's not an amendment we'll be bringing forward. It's an amendment that our friends in the NDP will be bringing forward, but we're planning to support that as well.

I guess like everyone who has their own perspective on a first responder or first responders that have touched their lives, I've had the unfortunate tragedy of having to witness some fatalities over the last couple of years on the QE II in two separate circumstances. It's an awful experience.

All I can remember, really, from those two experiences was just that when I came upon it, being the first on the scene, the next people at the scene, not more than a few minutes later, were our first responders. I was just astonished at how selfless they were, how the only thing they cared about was first and foremost the people that were in the accident – and that was the only concern to begin with – but also the safety of those coming upon the scene in a very chaotic situation where if things weren't taken care of properly, it could have become an even worse situation, with more injuries and fatalities. Then, of course, taking the time to help those who had come to the fatality or seen the accident up close and making sure that they were okay, making sure that they were properly supported, making sure that they were being cared for, offering to drive me and others if need be just to another location in order to kind of gather our thoughts before moving on.

Anyway, it just blows my mind, and I think it really overwhelms everybody in this Assembly, the incredible selflessness of these people. They never want to, but they are so willing to put themselves not only in harm's way but also in very difficult positions. Somebody has to do this job. It's one of the worst jobs in the world in some ways in that you have to see things that no one ever wants to see, nor should they see. At the same time they do it because they care about people, they love people, they want to help people, and they want to not just help the victims of the accidents, which they do an incredible job of, but also everyone affected by them at the scene. I just think that that's something that says so much about these individuals.

There's a great scripture that says that there's no greater love than he who lays down his life for his friends. I think that that perfectly exemplifies and represents these heroes, these great first responders that we have. So to them, including our past first responder and current first responders that are in this Chamber, I

want to thank them from the bottom of my heart for that. I think we all feel the same.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. Member for Airdrie.

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

Are there others? I'll recognize the Member for Calgary-McCall.

7:50

Mr. Kang: Thank you, Mr. Speaker. I would also like to speak in favour of this bill. I'd also like to congratulate the government for bringing this bill which will amend the Workers' Compensation Act to allow paramedics, firefighters, sheriffs, and police officers to receive WCB coverage for posttraumatic stress disorder without having to prove that the PTSD is work related.

This will also streamline the process for first responders to receive WCB coverage for PTSD, which also has the potential to mitigate a number of social problems associated with the disorder; that is, substance abuse, addictions, domestic violence, et cetera.

As emergency first responders are much more likely to encounter extremely stressful situations and experience greater psychological and emotional trauma than other professions because it happens over time – it may not happen one time or two times because, you know, this is a pattern and because they encounter different situations over time – it is reasonable and appropriate that the government streamline their actions to WCB coverage for posttraumatic stress disorder.

Many emergency responders suffering from PTSD may not seek the help they need because of their pride or the stigma of mental illness, so reducing or eliminating barriers to treatment is essential, and I think this bill will go a long way to correct those problems.

I support this bill on behalf of my caucus as well, and I congratulate the government again for bringing this bill forward. This may not be a perfect bill, you know. We can debate and change it as we go along, but this is the first step in the right direction.

Thank you very much, Mr. Speaker.

The Deputy Speaker: Thank you, hon. Member for Calgary-McCall.

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

Seeing none, I would recognize the Member for Edmonton-Highlands-Norwood.

Mr. Mason: Thank you very much, Mr. Speaker. I'm pleased to rise to speak to Bill 1, the Workers' Compensation Amendment Act, 2012. I want to indicate that we have some amendments to this bill, but we are very supportive of the concept. The idea that workers who are faced with trauma that affects them, maybe in a permanent way because of traumatic events that they've experienced, should be compensated, should be eligible for compensation without having to prove that their job is the source each and every time, is a very progressive and positive direction and follows up on a number of other initiatives that the government has adopted, stemming from the example of the government of Manitoba, that first established this principle for firefighters. I think that it's an important and positive step to take.

You know, many workers are faced with very, very difficult jobs. People often say to me: boy, I wouldn't want to have your job. But, quite frankly, the kind of jobs that first responders do are far, far more traumatic than this. I mean, the worst thing that can happen to us other than losing an election, I suppose, is to be

called to order by the Speaker, and I can't imagine what would happen if that ever happened to me. But I think if you really think about the jobs that some people do and how it affects them, you realize that this is the least, really, that we can do for those brave men and women who put themselves in harm's way in order to protect us and to protect our families.

I think the flaw in the bill, if I can get to that, is that the bill is a little too restrictive. It attempts to categorize people and say that these particular occupations should be deemed and other ones should not be. In fact, the bill specifically excludes certain categories. Now, I don't think that that's right. I think that the bill needs to be broadened. We've heard about volunteer firefighters from the hon. Member for – is it Rimbey-Ponoka? What's it called now?

Mr. Anglin: Rimbey-Rocky Mountain House-Sundre.

Mr. Mason: Rimbey-Rocky Mountain House-Sundre. That has a nice beat to it, hon. member.

You know, he talked about the sort of grey area that volunteer firefighters fall into. It's not that their work is much different from professional firefighters; it's just that the employment relationship is different. The work and the potential exposure to traumatic events is no different. So I think that their proposed amendment sounds like a very good one. We have some others as well.

Correctional officers, for example, are excluded in the bill, and they shouldn't be. Peace officers are defined narrowly as sheriffs. There are other peace officers. Social workers have been mentioned. Even in some cases medical professionals may well be subject to the kind of stress and traumatic incidents that first responders covered by this bill are.

I think that that's a problem, and I'd ask the government to really consider broadening it. It's not just people who wear a uniform. It's not just male-dominated occupations. Others who don't wear a uniform may actually also be on the front lines, may place themselves in harm's way, and may in fact have lifelong consequences as a result of the job that they have.

When the Premier talked about this legislation on May 24, she said that the legislation returns the courtesy and the favour to the first responders, who arrive at the time of our greatest need. I would say that it's a high-risk and potentially traumatic occupation, and the legislation must properly include all workers who are employed as first responders and in potentially traumatic occupations.

The government claims that this is the first legislation of its kind in Canada, but I would point out that many provinces have already extended presumptive compensation to firefighters in cases of primary site cancer. The concept is not new in legislation.

As I mentioned earlier, Mr. Speaker, I think the government is deliberately narrowing its definition of first responder, excluding corrections staff and social workers who provide first response duties. The associate minister says that the bill is a recognition of the incredible stress that first responders go through in serving us on our highways. I guess the question I have is: is the government really just looking at people whose job is on the highways?

I think that we need to emphasize that first responders work in many locations and confront many kinds of traumatic situations that the bill in its present form simply doesn't cover.

We've been in contact with a number of stakeholders that have an interest in this legislation, and they all emphasize that it is a good first step. This bill is a good first step, but it doesn't extend presumptive coverage to all first responders. Therefore, Mr. Speaker, the legislation in its current form does not fully match the government's claims because, as I've mentioned, corrections

officers and social workers are not included in the list of first responders.

8:00

We've been in touch with the Union of Canadian Correctional Officers. Some of their members were introduced today. I think some are still here. Your stamina is amazing, and I appreciate the fact that you have endured to get to this debate.

They have provided us with the wording for an amendment which would include federal corrections officers under the definition of peace officers. Mr. Speaker, we'd go further. We think that both federal and provincial correctional officers should be included, and we have prepared an amendment to address this when we get to the committee stage.

The Alberta College of Social Workers would like to see social workers as defined by the Health Professions Act specifically covered by the legislation.

Although stakeholders are primarily interested in having the correct occupations listed in the bill, our amendment to 24.2(2) is based on the idea that discriminating by occupation denies presumptive coverage for PTSD claims for workers in a vast number of occupations where traumatic events may be experienced during the fulfillment of their duties. It reflects our belief that no specific list of occupations can fully include all workers who experience traumatic events in the line of duty.

Mr. Speaker, as my colleague has now arrived and has been sending me text messages to make sure that the debate continued until she got here, which may explain why I kind of slowed down there in my remarks, I will conclude my remarks and turn you over to the hon. Member for Edmonton-Strathcona.

The Deputy Speaker: Thank you, hon. member.

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

Without that, then I would ask for other members willing to speak to this bill. The hon. Member for Edmonton-Strathcona.

Ms Notley: There you go. I was tempted to use 29(2)(a) to ask the previous speaker if he didn't think it might be appropriate to give his colleague an opportunity to catch her breath and let him talk about that for a little while, but what the heck.

It's a pleasure to be able to rise to speak to Bill 1, the Workers' Compensation Amendment Act, 2012, and to talk about some of the issues that are covered in this bill, both the great steps forward that it represents as well as the concerns that we have that we truly hope the government will give some deliberation to, notwithstanding some public statements not to that effect in the last couple of days.

This bill, as previous speakers have indicated, relates to the application of the presumptive principle with respect to post-traumatic stress disorder and its diagnosis amidst a particular group of occupations. Let me start by saying that there is no question that the issue of posttraumatic stress disorder amongst a number of different occupations in Canada is a grave one, and it's one about which we should be deeply concerned and on which we should take action. Certainly, to the extent that this bill commences that process of taking action, I think it's an incredible step forward.

Of course, all of us have, I'm sure, followed to some extent the public conversation about the issue of posttraumatic stress disorder amongst our military personnel and the struggles that those particular Canadians face. There's no question that the same kind of issue exists among certain uniformed and other professionals and occupations in Alberta. There is no question that

the presumption is rightly applied to the people that are named in this bill. No question about that, that the people named in this bill I think will benefit from the presumption.

And it is about time because I believe that for many years, as a result of some denial on the part of people within this profession as well as denial on the part of those who stand in supervisory roles within this profession as well as a series of denials on the part of various workers' compensation administrations, the real compensable injury, the injury that occurs naturally as a result of the work that these people do, has gone uncompensated. So to the extent that this bill is going to remedy that, this is a very, very good thing. I certainly don't want to say that we would not support this bill because a little ways forward is better than no ways forward, and there is no question that there is a significant improvement in the lives of some people as a result of this.

As many of you may know, in my past life I practised law, and one of the areas that I was very involved with was health and safety, workers' health and safety and occupation health and safety. In fact, I think I may have been the representative on one of the first two or three PTSD cases ever accepted by the Workers' Compensation Board in Alberta back in the early '90s. Ironically, that case related to a corrections officer.

That brings me to the beginning of the concerns that we have with this piece of legislation in that it does not apply to enough people. The mechanism that this government has chosen to extend this long overdue and necessary protection to key employees in our community is unfortunately flawed because by doing it by naming people, the minute – anyone who is a lawyer or has been anywhere close to law knows that it's a fairly simple principle in the law: you name something and by definition you, unfortunately, exclude that which you do not name. So using a list to extend a benefit is an unfortunate way to go because you then exclude those who aren't on the list. There are a number of people who are not on this list that should be on this list.

Now, the associate minister who is responsible for workers' compensation has been quoted in the media a couple of times talking about how: well, this is just focused on first responders, first responders who deal with the extreme trauma that we often see on highways, responding to car accidents, that kind of thing. In no way, shape, or form do I want to negate the severity and the significance of the trauma that those kinds of first responders come across. It is significant, and they should of course get this coverage.

The difficulty is that that's not the only kind of trauma out there. Moreover, this legislation doesn't limit it to just highway activity. It extends PTSD coverage to any person who falls under the list that the government has identified regardless of the nature of the trauma that they've been exposed to. That's good because their job is typically full of trauma, but nonetheless it is difficult, then, when the minister says: oh, the reason that we're not covering all these other people who respond to trauma is because they're not responding to highway traffic accidents.

Let me give an example. I use an old one because I want to be sure not to, you know, be insensitive to people who were associated with this example, but you can imagine that it would apply today. I recall when I was living in B.C. that the independent children's advocate produced an independent report about the fatality of a young child. The child was somewhere between six and 18 months. What happened was they were known to the ministry, living with a parent, and the social worker was contacted by a neighbour who was worried that there was domestic abuse and disorder going on in the adjacent apartment and that the child was at risk.

So the social worker contacted a police officer, and they went to the apartment to see what was going on. What they found was the stuff of headlines for the next six months in B.C. It was a horrible, horrible scene that they both came upon. The police officer and the social worker together came upon the scene and found the deceased six-month-old child and a lot of other stuff which was very traumatizing for everyone that was involved in that situation.

8:10

Now, with this legislation being applied to that, what would happen is that if the police officer did get posttraumatic stress disorder as a result of this very traumatic event, they would automatically get coverage, and that's good. But what would happen to the social worker is that she would have to make a claim, and then she would have to prove that this event was what caused her posttraumatic stress disorder. And be clear. The way she proves that is she watches as the WCB and their investigators and their psychologists and their psychiatrists pore through every detail of her life and look at whether or not she might possibly have been abused as a child, whether she might be abused in her marriage, whether she might have been exposed to trauma when she was in college, all those things. They will aggressively pursue whether or not there was another explanation for why she might have developed posttraumatic stress disorder. You can imagine that at the end of that process if she hadn't already had post-traumatic stress disorder, she would by then.

That's exactly what happens right now. When the average worker who is not covered by this presumption makes a claim for posttraumatic stress disorder, their life is turned inside out in the process of them trying to make the case that it was their work and the trauma they were exposed to at their work that caused the disease for which they are now seeking compensation. You can imagine, then, that that contradiction doesn't make sense, so we'll be introducing amendments to expand and extend the implication out.

I want to go back to corrections officers because that's a more narrow one that defies rational explanation for why they are excluded from this group. Corrections officers are, in fact, the official first responder within the prison system. The only difference that we're actually seeing is that some people who are listed in this act respond to trauma and violence experienced by the general public and corrections officers respond to trauma and violence experienced by criminals or, in some unfortunate cases, their colleagues. What we're really doing is making a judgment based on the quality of the victim – i.e., the person that the first responder is helping – rather than making a judgment based on the true injury experienced by the person who is responding to that emergency. That's the only difference between the corrections officers and the other people that are listed.

I really am waiting for the associate minister or someone else from this government to explain what the rationale is for excluding that particular group. We have copious amounts of evidence that the situation in our prisons over the last 20 years, 25 years has deteriorated dramatically. You know, back in the day when I was representing corrections officers, everyone was screaming about double-bunking. Well, now people are screaming about triple-bunking.

Just today there was a report that came out about how the mental health of prisoners and the attempts at self-mutilation and the suicide attempts have gone up dramatically just in the last two or three years. I suspect that the same statistics will show that the level of violence within our prison systems has gone up as well because of overcrowding. The associate minister in charge of the Workers' Compensation Board ought to, of anybody in this

building, know about that because at one point he was responsible as the former Solicitor General for the work and the conditions that existed in the Remand Centre, so how he could not know about this?

I remember taking tours in the Remand Centre when I represented corrections officers. It became very clear to me that each and every day a lot of these folks went to work to what was almost a war zone. They walked into their office, and then immediately their blood pressure went up, their heart rate went up, their need to ensure their own safety and their consciousness of their need to ensure their own safety went up, and they functioned at that level for a shift of eight to 12 hours or however long they had to. In the midst of that if they had to respond to a violent altercation or to, you know, assaults or, in some cases, homicides, well, they were already vibrating before they even got to the traumatic event.

Anyone who has walked through those centres knows that that's the reality that these folks live with. But in doing that, they keep the rest of the public safe. They do. They keep all of us safe. So I don't understand why we would distinguish them. They're not quite the same. You know, it's not quite as neat to have an election campaign photo op with this particular group although I'm sure they'd be happy to do that if the Premier had asked. But the fact of the matter is that the work that they do is no less valuable than the work that is done by all the other people that are mentioned in this bill. The nature of the work and the nature of their response is no different.

While I congratulate this government on recognizing the importance of posttraumatic stress disorder as a genuine occupational hazard and while I am glad that that protection has been extended to the people that are listed in this act, I worry that in naming that bunch, those who were not named will be presented with even greater challenges when it comes to applying for posttraumatic stress disorder compensation as a result of not being named because there will in effect be an institutional statement that the work that they do is not traumatic.

The thing that this government needs to understand is that we can't make value judgments about the nature of the trauma. The fact of the matter is that if there is trauma, the fact that that trauma was induced because they were saving a baby from a fire or the fact that that trauma was induced because they, unfortunately, were discovering a child who had just deceased or the fact that that trauma was induced because they were pulling two murderers apart from each other in the middle of a fight in a prison doesn't matter. The fact is that the trauma is the trauma, and that's the principle of the Workers' Compensation Act. Injecting value judgments into the nature or the history of the injury goes counter to the principles that are inherent in the Workers' Compensation Act.

This is really, really important. Mental health issues as a whole are huge. They are huge challenges in our community, in our cities, in our province, in our country. Posttraumatic stress disorder, for what it's worth, is not the only type of injury that occurs as a result of workplace trauma, by the way. There are other mental health injuries that also occur as a result of trauma in the workplace – bullying, ironically, going back to a conversation that we had earlier today – but they're poorly recognized in terms of our ability to treat them. They are almost never recognized in terms of our ability to compensate for them. It's really, really important that we do a better job of understanding the diagnosis and the nature of the injury and the relationship between that and the work. I hope this discussion can continue and that we can get some answers.

Thank you.

The Deputy Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Member for Rimbey-Rocky Mountain House-Sundre.

Mr. Anglin: Thank you very much, Mr. Speaker. I was wondering if the hon. member will comment on something that is called duration of threat. In combat they know that if they extend beyond I think it's 25, 29 straight days, if they don't remove that person from the threat, they start to lose those people. In the police force when you put somebody undercover in a situation where they're in a constant threatening situation, they know that they have to pull that person out of that undercover operation. Otherwise, they begin to lose these people to these types of injuries. I was wondering if you would draw the correlation between that and corrections officers.

The Deputy Speaker: Thank you, hon. member.

The hon. Member for Edmonton-Strathcona.

Ms Notley: Thank you, Mr. Speaker. I think it's interesting that you ask that question. As I was saying, my own personal experience in working with corrections officers and observing the conditions of their employment in our prisons is such that, as I say, I sort of almost flippantly use the phrase "war zone." Now, a lot of these folks go home. It is true. They will go home. Maybe, you know, their shifts extend, they work double time, they work overtime, but they will manage to go home for a bit. But day after day after day, knowing that you're going into a situation where you can't be totally sure that you can protect yourself or your colleagues from the risks that you face as a result of your workplace, that does slowly build up. Whether it creates the posttraumatic stress disorder itself or whether it enhances the vulnerability of someone to develop it if they are exposed to a particularly traumatic event, it doesn't matter. It's absolutely a factor.

I would go so far as to say that in representing other types of employees, I've represented employees who work as social workers in youth and group homes, where they work with youth who are highly volatile with, effectively, criminal backgrounds, where they fully are aware that they are understaffed, where they are fully aware that they could be overpowered at any time, and where days over days over days, when people call in and miss shifts and they're working by themselves, they too start to develop that sense of vulnerability and that sense of risk that, I think it's arguable, sort of wears them down such that if they are then presented with a particular traumatic event, they're more likely to respond as a result.

8:20

I think the hon. Member for Rimbey-Rocky Mountain House-Sundre raises a really good point that corrections officers in our system, based on the objective evidence that has been provided by the academic community looking at and studying our prison system over the last 10 or 15 years, essentially face the same kind of hazards as someone who is in some form of combat for any extended period of time.

It's truly a strange oversight. That is really what this appears to me to be. I just don't understand the rationale behind this particular oversight. The work they do is very difficult to distinguish sometimes from the work that is done by the other folks that are mentioned in this list, not in any way to negate the extremely important work that the other important folks on this list do. But, you know, I think it would behoove this government to reconsider the policy decisions that they've made thus far and to add the corrections officers, both federal and provincial, to this list and then also to listen to us when we come up with some

proposals down the road for how to restructure the application of this presumption in a way that more fairly compensates people based on the trauma and the injury rather than based on what their title is.

Thank you.

The Deputy Speaker: Thank you, hon. member.

We still have some time if others would wish to participate.

Seeing none, are there other speakers that would like to speak to this at second reading?

Seeing none, I would ask the hon. Associate Minister of Services for Persons with Disabilities on behalf of the hon. Premier to close.

Mr. Oberle: Thank you, Mr. Speaker, for this opportunity to close the debate on second reading of Bill 1.

Mr. Speaker, as we go forward into committee, assuming that we now pass this vote, I'll look forward. There are, of course, no amendments on the floor at this time, and obviously we're expecting some. It's been an interesting debate, and I'm sure we'll have more.

I want to point out a couple of things. First of all, nobody is denying that anybody in Alberta faces stress in their work or very stressful, perhaps traumatic incidents in their workplace. Occasionally those could even lead to posttraumatic stress disorder. As the situation stands today, any worker in any occupation in Alberta can be diagnosed with posttraumatic stress disorder and can receive compensation for that if the PTSD is linked to an incident that happened in their workplace. The difficulty with PTSD is actually not in linking it to an incident in the workplace. It's in the diagnosis in the first place, and that's true whether it's presumptive or not. The only thing that Bill 1 would change is that if a first responder has been diagnosed with PTSD, it's presumptive that that occurred as a result of incidents in the workplace.

Now, the hon. Member for Edmonton-Strathcona accidentally but very cleanly identified the problem and demonstrated the problem that she herself is accusing the government of. She said that by naming someone, we exclude other people. I suppose that's true. The only logical way out of that dilemma, of course, would either be to include all occupations in the bill – let's just presumptively attribute everybody's PTSD to their workplace situation, thereby not excluding anybody – or to drop the bill entirely, thereby also not excluding anybody. I don't think that's what the member is advocating. I'm assuming that's not what she's advocating because she went on to list some additional occupations. She doesn't like it when the government lists some occupations, thereby excluding somebody, but has no qualms whatsoever about listing additional occupations.

She talked about the fact that the government is making value judgments while she went on to make value judgments, thereby underlining the difficulty of it, even going so far as to say that it's not just PTSD, that there are other types of injury which clearly aren't contemplated in this bill. The bill is about PTSD. The member points out that she has reams of evidence, which usually means more than a page, so I'm looking forward to debating a proposed amendment in third reading. We'll see.

At this time, Mr. Speaker, I'd be pleased to call the question.

[Motion carried; Bill 1 read a second time]

Bill 3 Education Act

[Debate adjourned October 24]

The Deputy Speaker: Just for the record members speaking are now limited to 15 minutes of speaking time. At the end of the 15 minutes Standing Order 29(2)(a) will be available.

To start the debate, I'll recognize the hon. Member for Strathmore-Brooks.

Mr. Hale: Thank you, Mr. Speaker. It's an honour to stand here before the House and discuss Bill 3, the Education Act. Being a proud father of two sons, I know the challenges associated with having kids, let alone educating them. The children are our future, and it's rewarding to have an opportunity to have input into not only my children's education but the education of all Albertans.

Mr. Speaker, what we have before us is a good piece of legislation that took a battle to get. It's encouraging to see a document that has taken into account so many Wildrose policies. Like I mentioned in my maiden speech, these Wildrose policies are based on ideology, that being the ideology of common sense. I know Albertans will recognize this for what it is, the government engaging in good politics and incorporating the good ideas presented by the Official Opposition into pieces of legislation for the betterment of all Albertans and putting petty politics aside.

When the government introduced the Education Act in the spring, they added section 16, which limited parental rights in education of their children throughout the province in exchange for cumbersome, repressive education guardianship by the state. I would like to praise this change in Bill 3, which is now presented to us in the House.

The people of Strathmore-Brooks believe in an education system which respects the rights of parents to choose how their children are educated. I would like to take a moment to thank the Minister of Education for his commitment to build a new public school in Brooks, which will allow the Catholic school to move into the old public school, which is greatly needed as the Catholic school in Brooks has had to make new classrooms out of storage rooms, as has the Catholic school in Strathmore, which we will discuss later. This is an infrastructure problem, but it should be recognized in the act that physical limitations put restrictions on the curriculum and abilities of teachers to teach properly and educate our students. It's time this government gives full recognition to the state of overcrowding in Alberta schools.

It's my hope that this government will continue to respect the choices of parents who home-school their children and, furthermore, allow the parents to teach them according to their core values. I anticipate that the scope of this bill will be broadened to fully encompass the real and present needs of schools in Alberta.

Mr. Speaker, thank you for listening to my comments.

The Deputy Speaker: Thank you, hon. member.

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

I'll recognize the next speaker, the hon. Member for Little Bow.

Mr. Donovan: Thank you, Mr. Speaker. It's a great honour to rise and speak on behalf of the citizens of Little Bow and to present their issues and share in their importance to them.

Mr. Speaker, I've had the privilege of talking to some people, but again I'd like to talk with more of my constituents about this. I think it is a very positive step that they've taken with Bill 3. Again, with my colleague from Strathmore-Brooks, it's great to see that they're using some Wildrose philosophies making their way into Bill 3 and are actually listening to some people in this province. It's great to see, and it's nice to be able to work together. Thank you, my hon. friend from across. [interjections]

If I could continue on, Mr. Speaker, one concern I do have is under section 18(1), where it reads:

The Minister may by order do the following . . .

- (d) subject to the right of a board to provide religious instruction, prohibit the use of a course, a program of study or a learning and teaching resource in schools.

One of the concerns I have with that is that it puts quite a bit of power in the minister's hands. A private board has the right to provide religious instruction only. Anything else is subject to the minister's approval or disapproval.

The minister can also say what learning resources can or cannot be used as learning resources that they already may have. Just a concern I have on that. Other than that I think that there are quite a few positives to this, and I'm glad that this has come through after the chaos that Bill 2 went through this spring. I'd also argue that there is potential for abuse of this legislation. There could be quite a bit of power to disallow some board material to be used in learning resources. This is again up to the minister's discretion, and this is something that I guess I'd flag.

8:30

Mr. Speaker, I'm also a strong advocate for education. I believe all students should finish high school as I also did myself, which got me here today. What scares me about the flaw with the ages in there – and I spoke to it earlier with my colleague from Edmonton-Beverly-Clareview, the age differences in there. See, I'm a proud father of a 15-year-old girl that's a great child. I'm not worried about some of the issues there, but you tend to lead astray people that are following along when they get with people in the 20- to 21-year-old range who could be out of school. I guess that worries me quite a bit.

In my riding I have lots of private schools, charter schools, public schools, and Catholic schools as well as lots of home-schoolers. Again, I'm glad to see that this new bill as presented has very many positives to it and again, I add, has quite a few of our Wildrose philosophies in it. I'm just glad to see that you guys have come across the table on some of those issues.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

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

I'll recognize the next speaker, the hon. Member for Cardston-Taber-Warner.

Mr. Bikman: Thank you, Mr. Speaker. Thank you for the opportunity to talk about education and the responsibilities we have as a province. We know children are our most valuable resource, not a resource in the traditional sense to exploit but, rather, one we must help develop and nurture so each child can reach his or her full potential. Like an atom the awesome power is there, but it must be handled with care to create, not destroy. We all know this, and with the best of intentions we try to facilitate it.

Schools are built. Sometimes, unfortunately, they are not built in the right places, not based on prioritized need but, rather, as political favours in areas where the current government has supporters that live and work. Albertans think it's long past time for this old-fashioned political patronage to stop. If this government has confidence in its policies and its understanding of the needs of all Albertans, whether they voted right or left, then it should demonstrate that by providing new or upgraded schools based solely on prioritized needs. It is something that my colleagues and I have been fighting for and will continue to do to ensure fairness and equality for all Albertans.

A lot of money could be saved, it seems to me, if teachers were consulted. These front-line workers know what's needed, why it's needed, where it's needed, and when it's needed. Does anyone in the current government ever ask them what they require to

properly educate their students, our children and grandchildren? If so, then you know they don't need more bosses or layers of management at the provincial level. If the government would reduce the number of rules and regulations that require more people to administer and oversee them, our teachers and students would be much better off. I talked with a grade 2 teacher recently. She's a fantastic leader in our community. She has a blind child in her class, and she only gets the help of a classroom assistant for two hours a day and none on Friday.

Too much of the funding for education seems to go to administration, and too little trickles down to the classrooms, where the children are and where their needs are not being fully met. Unfortunately, this trend continues unabated. This is not leadership from the province but, rather, an abdication of responsibility, I submit. Why is it that when cuts are made, they are made in the classrooms? Some class sizes have grown to nearly unmanageable numbers. Teachers and assistants are cut in an attempt to meet budgets, but those cuts are in the wrong place. Let's stop this practice and have the courage to cut where it's needed. Let's trim at the top, not cut in the classroom.

Teachers work long hours, not just in their classrooms with students but at home studying, preparing lessons, marking, and answering questions from concerned parents that may e-mail or call them. In our attempt to help are we, in fact, encouraging behaviours that are contrary to the best needs of our children, our families, and society? If our policies were working, wouldn't we have smaller class sizes? If our policies were working, wouldn't we have schools built or renovated where they are needed?

I'd like to point out that you can't legislate self-esteem by protecting children or adults from experiencing the consequences of their choices. Passing a child who fails is an answer, but it's not the right answer. Not giving a deserved zero to students because it makes them feel bad is teaching a lie. It's not preparing our children for real life. The provincial government isn't showing leadership and courage. Alberta's children deserve no less than the very best education, and our teachers are already among the best in the world. They deserve no less than the very best resources.

We need to be continually mindful and respectful of parents' rights. At the end of the day and, truly, all of the time parents are the ones that should be making decisions about their children. They need and are entitled to a strong say in decisions that affect their children and affect the education of their children. This government speaks of partnerships. Well, parents are the senior partners.

All 13 – yes, Mr. Speaker, 13 – of my children received quality education in the Westwind school district. They have each gone on to earn postsecondary degrees and are now raising families of their own and contributing to the quality of life in their communities. I can remember a time when one of my children got a zero on an assignment. He came home upset and angry, but I can tell you that he didn't do it again. Now that he's in the real world, he's thankful that he learned this lesson early on when the consequence was relatively cheap.

We are strong supporters of public and home-school education, and I'm glad to see the government recognizes this as well. Generally speaking, this is a good bill, and we're grateful that it's been presented. As mentioned, there are a couple of amendments the Wildrose will be putting forward, and I believe that they will improve the bill. Working in co-operation, I hope that the other members of this House will also support these amendments. Too often an idea is shot down simply because of who proposed it. I sure hope that will not be the case in this instance.

In conclusion, I admit that I'm not an expert on education although I have been a teacher, but as parents of 13 children my

amazing wife, Sheila, and I know how important it is that parents take responsibility.

Ms Calahasen: Thirteen. Wow.

Mr. Bikman: Thank you. [interjection] I used to have hair before I started.

Anyway, as I said, my amazing wife, Sheila, and I know how important it is that parents take responsibility for and have a say in their children's education. I would like to thank and congratulate the government for recognizing this. With a couple of amendments I know this bill will be of great assistance to education in Alberta.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

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

Seeing none, I would recognize the Member for Cypress-Medicine Hat.

Mr. Barnes: Mr. Speaker, it is my pleasure to rise today and speak to the new and, I'm happy to say, improved Education Act. First and foremost, let me say that my Wildrose colleagues and I have heard the message loud and clear from parents across this province that the education of their children is important to them and that they as parents have the primary right to make the decisions regarding the education of their children. So my colleagues and I have been fighting hard to ensure that parental rights are respected in this legislation.

I'm pleased to see that Bill 3 will re-establish the primacy of parental rights and decisions about education, and I'm thankful we now seem to have an Education minister who actually listens to Alberta's parents. I'm also happy to find that Bill 3 provides general support for the autonomy of both the parents and our elected school boards.

Mr. Speaker, first as a candidate and now as the MLA for Cypress-Medicine Hat I received countless communications from my constituents on the subject of education. I'd like to take a few minutes to tell this House about some of that feedback and how it relates to Bill 3. I have heard time and time again how choice in our education system is important. There is no one-size-fits-all approach to either learning or teaching. All Albertans benefit from the freedom, and parents in our province have to choose how their children will be educated, whether that be through public, Catholic, private, charter, or home-schooling. This also means ensuring that families in rural areas have the same freedom and choice in education and have access to the same opportunity that Albertans have in other areas of the province.

8:40

There are several measures in this legislation with regard to charter schools, and I certainly hope these measures are there to strengthen the choice in our education system, not to hinder the creation of these charter schools.

There's also a measure in this legislation to provide school boards with natural person powers. I hope this will contribute to more flexible learning opportunities and support for our students.

Another thing I've heard from many, many parents in my constituency is the importance of innovation in the education system. A lot of Cypress-Medicine Hat people are looking with great interest at Finland, where students are ranked among the top performers internationally and where they place a huge emphasis on innovation within their education system. I believe Alberta has a great education system, but I also believe that we can strive to be even better. If there are lessons to be learned from systems in

other jurisdictions – and I've offered Finland as one example – I certainly hope the government will look at these lessons.

Mr. Speaker, while this piece of legislation is much improved from the government's previous attempts to update the Education Act, it is not perfect. I am disappointed that the issue of school fees has not been addressed, especially considering this was a major campaign issue during the last campaign. In Cypress-Medicine Hat I talked to many, many young families about the mandatory school fees being a burden. It takes away professional time from our teachers and our administrators, who have to collect these school fees, and I've heard of many unfair ways that the collection of these fees is applied, with some schools and some school boards doing more extreme measures than others. I pose this question to my colleagues especially on the government side. Is this really the best use of the time of these highly trained professionals?

Mr. Speaker, I sincerely hope that all members of this Assembly will work towards promoting a culture of education choice, innovation, and competition and that we will always keep the best interests of our children in mind as we continue to debate this legislation.

Thank you.

The Deputy Speaker: Thank you, hon. member.

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

Seeing none, I'd recognize the Member for Medicine Hat.

Mr. Pedersen: Thank you, Mr. Speaker. It is great to be back here today to speak to Bill 3, the Education Act. Although I do not have the fortune and the privilege myself to be a parent, I have heard before, during, and after the election from so many concerned parents in my constituency of Medicine Hat. I hear time and time again how they want their rights as parents respected by the government, and I hear time and time again how they want the best for their children not only inside the classroom but in everything they do.

Mr. Speaker, we are proud to live in Alberta, and we are lucky to live in Alberta. There is no reason that our children should not have a world-class education in a province as great as ours. There is no reason that our children should not be raised in a strong and free Alberta, an Alberta where parents' rights are respected, an Alberta where students are truly being put first.

I'm glad to see that the current government has listened to many of the concerns that my friend the hon. Member for Airdrie raised in the previous Legislature. It is fantastic to see that Bill 3 respects the rights of parents to have the ultimate say in their children's education. Mr. Speaker, I know that this recognition of parental rights will ultimately provide a better education for our future generations, and it will ensure that parents are the ultimate deciders.

It is great to see that we have a Minister of Education that has recognized the many flaws in the previous versions of this legislation and has listened to the concerns of the opposition and, more importantly, listened to the concerns of the parents. You may remember, Mr. Speaker, that parents had to march to the steps of this building in order for their voices to be heard. Although it took such measures for their voices to be heard, I am hopeful that this government has learned that you need to meet with parents and teachers and that by doing so, the best possible results will be achieved.

Mr. Speaker, I would also like to recognize that there are still some flaws with this bill, that my friend the hon. Member for Chestermere-Rocky View has addressed and will continue to address. I look forward to supporting this bill along with my

colleagues so that we can ensure that our future generations have the best possible education with the best possible opportunities. There will be amendments to fix the flaws, and I will readily vote in favour of positive changes. Mr. Speaker, on behalf of the parents and constituents of Medicine Hat I look forward to supporting the bill.

Finally, Mr. Speaker, let me finish by saying this: we must always remember that we are here to represent our constituents, and we are here to listen to them and make the best possible decisions. By working together and listening to the public, who truly are our bosses, I believe that we can make good decisions, and that is exactly what I came here to do.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is also available at this time.

Are there other members who wish to speak to the bill? The hon. Member for Calgary-Fish Creek.

Mrs. Forsyth: Thank you, Mr. Speaker, for the opportunity to speak to Bill 3, the Education Act. Quite frankly, I think it's appropriate that this bill is named Bill 3 as it's the third time this government has introduced this act. Like they say, the third time is the charm. Hopefully, we'll be able to get it passed this time.

You know, I'm glad that the time was taken to consult with concerned stakeholders about the implications of this proposed bill. It's been a long time since the last Education Act, and when a lot of time passes, it's tempting to make wholesale changes. After all, this bill is nearly 200 pages long. There were a lot of concerned groups. All too often people will point fingers at special interests, but there were concerns, and they have been brought up in this House already from home-school parents as well as those who teach in the public, separate, and charter schools.

My colleague from Airdrie and I and colleagues from Calgary-Glenmore and Fort McMurray, who are no longer with us, spent many, many long hours debating this bill in the spring Legislature. It's amazing when you think back to all of the comments that were made at that particular time from members of the opposition in regard to painting us as, you know, taking some serious time on the debate of this bill. Lo and behold, the amendments that we were proposing in regard to parents having the ultimate right and the section under human rights have been changed.

I guess for us it's another Wildrose victory, but I think, more importantly, it's a victory for parents in this province that actually spent the time and spent absolutely hours upon hours upon hours . . .

An Hon. Member: Cheers.

Mrs. Forsyth: I think one of the members is trying to speak to me or raising his cup to me. Maybe he'd like to get up and debate. The Member for Edmonton-Gold Bar, I think it is, can have the opportunity to speak if he'd like.

You know, Mr. Speaker, I think everyone knows that from the moment I was elected in this Legislature, I've always stood up for children. It's been one of my passions. My colleague next to me talked about his passions in the throne speech, having been the father of four little boys, the importance that he thought about education. He spoke very, very eloquently about that.

As the former minister of children's services I brought the Amber Alert program to Canada. I'm still very, very proud of that. A piece of legislation that I actually brought forward as a private member's bill with the Official Opposition, the Wildrose, is the Mandatory Reporting of Child Pornography Act, which, if I may,

Mr. Speaker, was passed in this Legislature but still hasn't been proclaimed. You sometimes wonder exactly where the government is.

In that time in this Legislature, as I've said, my focus has always been on vulnerable children. I've got to tell you that I was pleased to see in the bill the inclusion of bullying. I look back on that with some pride. I just want to take people back a step in the Legislature, if I may, please, because I brought the bullying bill forward to the Legislature in 2008. It was Bill 210, the School (Enhanced Protection of Students and Teachers) Amendment Act, 2008. Now, Mr. Speaker, I haven't had time to go through here to see if you were one of the people that spoke on that particular bill, but I can tell you that as a private member's bill there were many members of this Legislature that got up and spoke in support of that bill.

8:50

At that particular time it then followed with Bill 206, the School (Enhanced Protection of Students and Teachers) Amendment Act, 2009. We talked at that particular time, and I talked at that particular time. It was a very innovative piece of legislation, if I may say so myself, because I did what I naturally do, and that's consult with people that are very on top of issues. In that particular bill, 206, the School (Enhanced Protection of Students and Teachers) Amendment Act, I talked to students, I talked to teachers, I talked to the resource officers in the schools, and I talked to police officers. All of those people collaborated and came together with what we had considered at that particular time probably one of the most innovative pieces of legislation across this country to deal with the issue of bullying.

You know, I'm just going to give you some ideas. I spoke in the Legislature in 2009.

Thank you, Mr. Speaker. It's my pleasure to introduce [the bill] . . .

Our society is changing rapidly. We have all these new technologies – Facebook, Twitter, YouTube, text messaging – and somebody is probably inventing a new way to communicate right now as I'm speaking. All of these technologies have put a new face on an old problem, [and that's] bullying.

As I mentioned earlier, we have a very large, large piece of legislation, and I haven't had a lot of time to look at exactly all of the education. But I can tell you that there are several concerns that as a member of the Official Opposition, Wildrose, I think have to be brought to the table in regard to what they're discussing about bullying and how they think that's going to be enhancing and helping the kids that are going to school on that particular issue. We're going to have some time, and I'm going to have some time to sit down and read the legislation very closely, but immediately what comes to mind with this particular piece of legislation is the fact that there are several things that I don't see in it.

The first thing that I don't see – and I can stand to be corrected by the Minister of Education; he's here – is where it talks about weapons and how you're going to deal with weapons in schools. I'm sure that he will point out to us that piece of legislation because that's very key when we're trying to deal with protection of our kids in schools because kids carry weapons. At that particular time in 2009 I talked about the fact of the bullying that was going on and children carrying billy clubs into the school. Now, one must ask oneself what kind of an education tool a billy club is in the back of a backpack that a student will be carrying into school.

We also talked in my particular private member's bill about drug paraphernalia. That kind of thing I haven't seen in the

minister's bill on education. I'm sure that he's going to be able to tell me what is included and where it is included.

I think we need to get some clarification on: no student shall bully another person. I know that they talk about: "refrain from, report and not tolerate bullying or bullying behaviour directed toward others in the school, whether or not it occurs within the school building, during the school day or by electronic means." I think one of the questions that this minister has to answer is: does that include on a school bus? I can tell you that children are bullied on the school bus. We heard that in full when I brought the legislation forward in 2008 and in 2009.

I think one of the other things that, you know, was brought to my attention by the police resource officers and the police that were in the schools is the ability for the teachers and the principal to have a reporting mechanism in place to track the bullying because the bullying escalates. While it can start as a simple push on the grounds, that bullying can continue to escalate.

When I spoke in the Legislature in 2009, I talked about a horrific bullying incident that actually happened in the schools in Edmonton. I don't know if you remember, Mr. Speaker. The parents spent hours upon hours in the Legislature. I will refer to that as we go into the committee because I think it's important. I talked about this poor child, the bruises, the horrific – horrific – damage that was done and that he took to his personal parts. Fed up at the very end, he went home towards the end of the school year and decided that that was enough and obviously committed suicide by starting the car and closing the garage door. I know that if this government is really serious about the issue of bullying and the addition, if I may, of the protection of students, it's important that we need to talk.

I'm sure the minister will tell me if this new bill, the Education Act, talks about the protection of teachers. I again will go back through *Hansard* and talk about all of the teachers that I heard from that were bullied. They were not only bullied by students, but they were bullied by other parents.

So if we're going to have what is considered a comprehensive, well-thought-out, innovative piece of legislation that the government can brag on, and rightfully brag on, as the new Education Act, I think these are all of the things that as a government they have to think about. As the Official Opposition we're going to take some time and spend the weekend. I'm going to talk to my colleagues. Many of them have talked about being parents of 13 to being parents of four and the importance of getting this particular piece of legislation right and making sure that our number one priority, if I may, is the education of our children and, no question, absolutely, the protection of our children. By saying that, I also want to incorporate and stress the importance of the protection of our teachers.

Having said that, Mr. Speaker, I'll sit down, and hopefully the minister will answer some of the questions that I've brought forward and will maybe have his staff – I know as a former minister that he has staff that will be able to probably go through *Hansard*. If his staff hasn't got time – and I know he's very busy – we'd be pleased to give him the information for *Hansard* for him to be able to access the bill, access the conversation, access what was incorporated in the bill. We'd be pleased to help him through the process of making the Education Act probably the best education act in this country.

Thank you.

The Deputy Speaker: Thank you, hon. member.

Are there any questions or comments under Standing Order 29(2)(a)?

Seeing none, I'll recognize the hon. Member for Calgary-Shaw.

Oh, sorry. The hon. Member for Edmonton-Highlands-Norwood, did you want to comment under 29(2)(a)?

Mr. Mason: No. To speak to the bill in my turn.

The Deputy Speaker: I'll recognize you next. I recognized the hon. Member for Calgary-Shaw already. Thank you.

Mr. Wilson: Thank you, Mr. Speaker. It's no secret that the foundation of our entire province is the education system. A strong education allows our children to thrive. It strengthens our social fabric, and it is the foundation for long-term success, benefiting all Albertans.

I would be remiss if I chose not to mention, much to, I'm sure, the disappointment of the members, specifically, for Edmonton-Gold Bar, Calgary-Mackay-Nose Hill, Lesser Slave Lake, and perhaps the Minister of Transportation, the good work that our colleagues over here did in the spring to have this amended. If you would so choose to raise your glasses, as I saw you doing earlier . . .

Mr. Anderson: Cheers, cheers.

Mr. Wilson: Exactly.

The good Member for Airdrie, the Member for Calgary-Fish Creek, and the former members of this caucus fought hard for some changes to this bill. Mock it if you like, but we're proud of these changes. It's democracy in action. I think that there's a lot to be proud of here.

9:00

Now, it was a very important issue in my riding. I actually had a couple of individuals who came up to Edmonton for the protest that day. They had never taken part in the political process before. They didn't really know what to expect, but I'm sure that what they see here today and the results of Bill 3 as it stands are a great reward for them. It demonstrates to them and, hopefully, all Albertans that citizen engagement should not be overlooked. It is a very powerful thing in this democracy, and it should be used any given time.

I would also like to say that we need to recognize the value of teachers in our society. Next to parents, teachers are the single biggest influence that our kids are going to have. We need to ensure that they are able to maximize that value and give them the support that they require when they are in the classroom. As noted earlier, teachers face many challenges, and we need to ensure that they're supported. If they have children with special needs, ESL students, and they're holding back others, and there is not the support there to ensure that everyone can move forward as a group, it's a detriment to the entire process.

I think that this may relate in some interesting ways back to some of the other policies that we see in Bill 3, specifically changing the age of access to 21 and the age of compulsory attendance to 17. I share the concern that my hon. colleague from Little Bow and others today have brought up about having 21-year-olds in the classroom in high schools with, you know, someone perhaps the age of 15 to 16. It's not because their lives are threatened. It's just simply because they have a different set of life experiences that they're bringing. They have gone through a different level of maturity than someone younger, and that can pose somewhat of a threat to the natural progression and natural growing up and maturing of those young people. It's a valid concern, and I look forward to debating it in this House.

I think that what we need to recognize, though, is that perhaps we have an opportunity here, instead of band-aiding some of these

causes, to try and approach this from a root cause perspective. I think that when we say that kids are being left behind at a young age, when they're a grade or two behind in math or a grade or two behind in reading, and the rest of the kids are moving forward, these are the kids that are going to be the ones dropping out in high school. If we could just find a way to fix the problem at its root, to give teachers the support that they require in the classroom so that these kids aren't left behind, perhaps we wouldn't have almost what could be considered an epidemic in our province because we have one of the highest, if not the highest, dropout rates in the country. I just think it's an opportunity, and I hope that the hon. minister looks into some of these support systems that could potentially help fix this.

If we look at the social costs of letting these children slip through the cracks at an early age, do a cost-benefit analysis as to what the grand societal cost is as they perhaps require further government services in the future, if we just transplant that money, invest it in prevention, we may have a very different result. Let's try and break that cycle by providing teachers the support they need and have been asking for for decades, and let's start catching these kids early.

Another thing I'd like to bring up is the potential use of schools. This government has a very aggressive agenda for building new schools. [interjection] That wasn't a joke. Some of us over here tend to think it is, but we'll take the government at their word at this point.

I'd like to argue that schools can be used for so much more than simply educational institutions. It's a massive piece of infrastructure. It can be the hub of a community. We spend tax dollars to build and maintain these schools, but many of them sit empty after 5 o'clock. They have so much potential to do good things in the community. Have after school programs in there. Community groups or associations can use them. Use them as educational facilities for adults who require remedial training, perhaps the 18- to 21-year-olds, or ESL training for some of the immigrant population that we have in our province.

We can use them for evening or late-night daycare facilities and assist women in poverty who are struggling to find solutions to earn a living wage. We hear this all the time. As the critic for the Human Services portfolio I spend a lot of time with nonprofit organizations in Calgary, and one of the major issues facing women today, especially women in poverty, is the fact that they cannot find affordable daycare and accessible daycare outside of the main hours of 9 to 5. Well, if we have a school in a community that's accessible, that doesn't require a commute, that's got transit that goes by it, let's open this up to our communities. Let's stop charging obscene amounts of money to rent these facilities. It becomes cost prohibitive.

There are provinces in our country that have been doing this. It's a pilot project. I believe New Brunswick has a lot of success in this, Mr. Minister. I would highly encourage you to pick up the phone and see what your colleagues in that province have to say about a system like this because we, again, have an opportunity, with the number of schools you are suggesting you are going to build, to do so much more good than just simply educating our youth.

Now, in my riding I've recently had the opportunity to visit a couple of schools. One of them is Centennial high school. I was thoroughly impressed with the level of education that is being offered here. It's so different than what I experienced when I was in high school. It's got experiential learning, classes on leadership. Who would have thought? What a great idea. Let's teach our young kids about the values of leadership, about the values of community service, volunteerism. There is a full salon that oper-

ates out of this high school. There are engineering suites so kids can get an entrance into thermal dynamic engineering, electrical engineering. Now, this is a major industry in Calgary. These kids are able to just transition seamlessly into these programs in university, and it's all because of the innovative thinking that our public school systems are doing. I think it's great.

I've also visited the grade 6 students at the Fish Creek school and was so impressed not only by their level of engagement but by the fact that, at a school with 700 students, they have over 400 full-time volunteer parents that come by and help out. Four hundred. That's incredible.

As the father of a two-year-old, and this act is going to impact how he is educated in this province. I take this process very seriously. I'm encouraged by much of what we see in this bill. I look forward to further debate, and I look forward to helping pass this important piece of legislation.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

Any questions or comments under 29(2)(a)?

Seeing none, I'll recognize the Member for Edmonton-Highlands-Norwood.

Mr. Mason: Thank you very much, Mr. Speaker. I'm pleased to rise and speak yet again to the latest iteration of the Education Act. This particular session it's numbered as Bill 3. I want to indicate that there's much about this bill that is praiseworthy. There's much about this bill, I think, that the New Democrat opposition can support. I have to say that the consultation process was exhaustive, some might say repetitive, with regard to this bill.

I think that there are some good things about it. I think the provision to give natural person powers to boards is a positive thing. When I served on Edmonton city council, legislation was introduced by the government to give natural person power to municipalities, and I think it proved an effective tool for municipalities so they weren't so narrowly constrained by the "You can do this, and you can't do this, and you can do this, but you can't do that" approach that had previously existed. I think that it will tap into the capacity of boards to be innovative and creative in their approaches. I think that that's a good thing, and I think, frankly, Mr. Speaker, there are many other aspects that I won't really touch on tonight in second reading that are worthy of support.

I want to talk a little bit about a couple of things, though, that I have a concern about. The first one has to do with the government's approach to bullying. It talks about bullying in this particular piece of legislation, and that's a good thing. It should do that. It should address it. We need to ensure that there are programs in place, steps in place, safeguards in place in order to prevent bullying in the schools.

I think that it's important that we give principals and teachers the authority to deal with bullying both on and off school property and, as well, empower them to deal with it online. However, I think there are some real challenges facing an administrator who has got to balance fixing the roof, funding the athletic program or the music program, managing a staff of teachers and other staff, and so on and who is also charged with monitoring the Internet. But I think, in that sense, there is a step forward.

However, I do want to raise a real concern. It was raised by my colleague today in question period, and that is provisions in Bill 44 that prevent teachers from dealing with many issues that commonly give rise to bullying in schools. That has to do with religious discrimination. It has to do with gender discrimination and with discrimination against GLBT students.

9:10

To prevent teachers from talking about these things in the school, to in fact subject them to being hauled before the Human Rights Commission if they don't deal with the parents first before dealing with these things I think is creating more potential for bullying and prevents schools from being able to provide the appropriate education in order to make sure that we fully accept all students and that we prevent discrimination against those students based on their sexual orientation, their gender identification, in some cases their religious beliefs. All of those things, I think, cannot be excluded from discussion in the classroom if we truly want to build bridges of understanding between all people and all students in our classes.

I think the government has tied one hand behind the backs of principals and teachers in dealing with bullying, and I don't think, unless they're prepared to rescind those particular sections, that they can truly say that they as a government are truly interested in doing everything possible to prevent bullying in our schools. That's an issue I think we're going to be talking about quite a bit in the debate with respect to this.

A related thing that's of concern to us, Mr. Speaker, is the amendment that members of the Wildrose and some members of the government were just toasting a little while ago, and that is changes that remove the reference to the Canadian Charter of Rights and Freedoms and the Alberta Human Rights Act. I think it's deplorable. I think that it is pandering to fringe groups in our education system, and the vast majority of students who participate in the public school system will suffer as a result.

The Alberta Bill of Rights was Bill 1 of the Peter Lougheed government when this Progressive Conservative Party was first elected in the province of Alberta in 1971. In those days Bill 1 really was a big deal, and the fact that this Conservative government is running away from it, won't even talk about it in the act, won't even make it something that we talk to our children about is deplorable. It's gutless. I'm amazed that they caved in to the Wildrose and their allies on this issue. I think it's disgraceful. Mr. Speaker, that's something that we want to see put back in. That's something that we believe in.

Just to finish, Mr. Speaker, I want to talk about the things that the bill doesn't address. It doesn't address the fact that we still have a serious shortage of teachers, that we're hundreds of teachers short of where we were a couple of years ago, that the number of aides and support, especially for children with special needs, has been cut way back. The provisions of this bill allowing an appeal to the minister won't deal with that effectively. The massive problem we have with deferred maintenance in our school system is not addressed.

The approach of creating new schools through P3s is another problem that I think this bill could have addressed. I think it's important that we put in this legislation that schools need to be owned and operated by the public school system and by school boards. I think that the government is blindly going in a direction that it doesn't fully understand the consequences of.

If you look at the situation in Britain, where P3s have been used extensively, there are major failures throughout that system. Those chickens will come home to roost, perhaps not in this term of the Legislature, but down the road the problems will exist. School boards are of course desperate to get funding for new schools, so they accept the P3s, but they have started to document the problems related to P3s. The real problems will only come when the schools are quite a bit older, I'm afraid, Mr. Speaker.

Nor does the bill effectively deal with the government policies that encourage the closure of schools in older neighbourhoods,

discriminatory utilization formulas and so forth that pressure school boards to close schools in older areas, making the revitalization of those communities much more difficult. That's a piece, I think, that the government doesn't yet understand.

Mr. Speaker, with regard to that, I'm sure that we're going to have a very good debate. I think there'll be some good amendments and discussion to follow.

I want to indicate that I'm really quite of a mixed view on this bill. There is much, as I said, in this bill that is positive and praiseworthy and will help our children, help our educators, and help those people who are administering and setting policy for the various school districts, but there are some serious concerns that we have with respect to this. We want to strengthen public education, and we want to ensure that students get the best teaching and the best curriculum that is available, that broadens their view, that broadens their outlook on society and their fellow human beings, and we want to make sure that that is available to all children in our society.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

Any questions or comments under 29(2)(a) for this member?

Seeing none, I'll recognize the Member for Lac La Biche-St. Paul-Two Hills.

Mr. Saskiw: Thank you, Mr. Speaker. First off, let me congratulate the hon. Education minister, my good friend and neighbour to the north, for finally incorporating some common sense into this bill.

The previous bill, of course, was introduced by the former Education minister, who was then promoted to Deputy Premier. In it he tried to force the Alberta Human Rights Act on home-schooling parents and others in the guise of defending human rights. Nothing could be further from the truth. Those who take on the socialist forum and agenda claim to be defenders of minorities in advocating for these types of absurd policies that were proposed in the previous bill, but in reality these people have been advocating for the perpetual encroachment of the state on the family, and this is an injustice.

Mr. Speaker, my constituents spoke loud and clear in the last election. It is parents and not the government who should be primarily responsible when it comes to education. In particular, when it comes to morals and ethics, it should be, again, the parents and not the government who should be making those decisions.

When this bill came out, I asked a constituent of mine who is a home-schooler – her name is Crystal Dean – and she got some messaging from other home-schoolers in our area and across the province. I'd like to read a few quotes from that. I asked her what she wanted the government to know. She stated:

We want them to know that home schoolers aren't against human rights. In fact many of our families stand up for the rights of those who have no voice, those suffering and injured.

Due process and the basic presumptions which guide the legal system are not the foundations on which [the human rights] tribunals [exist]... The embedding of the Alberta human rights act sets off red flags. Why does an existing legislation have to be embedded in the education act?

She asks:

If the [Alberta Human Rights Act] is already overarching as it is commonly suggested, what is the purpose to it being placed in to another act?

True hate crimes need to be prosecuted as criminal under the Criminal Code.

9:20

She states, again:

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.

She concludes, saying:

Prosecuting individuals who speak their mind is a type of social engineering and societal control that is a loss of human rights.

Mr. Speaker, I think those statements are well said, and I applaud her for passing on those words of advice to this Legislature.

Again, I just want to applaud the current Education minister for putting forward this bill and listening to Albertans and, in particular, home-schoolers across the province. I look forward to working with you to strengthen this act.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

Any questions or comments under 29(2)(a)? The hon. Member for Edmonton-Highlands-Norwood.

Mr. Mason: Thank you very much, Mr. Speaker. I do have a question for the hon. member. He did read the current wording of the bill with respect to showing – I forget the exact word – tolerance based on religion and so on, but the particular legislation does not include ensuring that there's no discrimination against gays and lesbians in schools. Does he think that it should be amended to make sure that those things are included?

The Deputy Speaker: Hon. member.

Mr. Saskiw: Thank you, Mr. Speaker. Of course, what we're talking about here is parental rights, and I think that if you look under most enabling legislation, parental rights are supreme. I think it's a fundamental difference of opinion on this side and apparently on the other side as well that we believe that parents are primarily responsible for teaching their children education as well as morals and ethics. Of course, it has nothing to do with those types of rights. Those rights are already protected in the Charter and other enabling legislation, and anyone that is found guilty of violating that type of legislation can be brought before the courts. This legislation has nothing to do with that.

The Deputy Speaker: Hon. member.

Mr. Mason: Thanks very much, Mr. Speaker. Well, I just want to follow up with that, and I've found it here now. It says that instructional materials and courses and programs of study "must not promote or foster doctrines of racial or ethnic superiority or persecution." Now, what if that happens to be the religious view of a parent? It may not promote religious intolerance or persecution, but what if that is the view of the parent? So my question is: why do we have these things in here as prohibited ideas or prohibited courses and programs of study but not have protection for gay and lesbian students in schools? Are you suggesting that parents actually have the right to tell their children that they can discriminate against other students based on that?

The Deputy Speaker: Hon. member.

Mr. Saskiw: Thank you, Mr. Speaker. Of course, that definition has been in place for decades, and in this province we have many different people and many different faiths, and those types of

views have to be respected. True tolerance is also respecting those views as well.

In the previous bill the issue that we had was that the Human Rights Commission and their opinions – and it wasn't a definitive certainty – potentially could have been forced upon home-schooling families to dictate the morals and ethics in their own home. I quite frankly find that type of issue deplorable. Parents in their own home should always have the right to teach morals and ethics, and I stand by that.

The Deputy Speaker: Hon. member.

Mr. Mason: Thank you very much, Mr. Speaker. Well, this also applies to the public school system. Does the hon. member then believe that we should be tolerating discrimination, bullying against students in our public system who have different sexual orientations?

The Deputy Speaker: Hon. member.

Mr. Saskiw: Thank you, Mr. Speaker. The Human Rights Act already apply to the public system and the Education Act.

The Deputy Speaker: Are there other comments?

Seeing none, are there others that wish to speak? I'll recognize the Member for Calgary-McCall.

Mr. Kang: Thank you, Mr. Speaker. It's a great pleasure to rise and speak to Bill 3. Before Bill 3 we had Bill 2 and Bill 18, and I think we have been hashing them around for a long time. This is the third time. I hope we get it right this time, but it doesn't look like it.

Mr. Speaker, lots of work has gone into this. You know, there are many good measures in the bill that will improve education in Alberta. I'm a strong supporter of the public school system. As the member before said, it should be publicly funded and publicly delivered like health care. This bill is not addressing the shortage of teachers, class sizes, and so on and so forth.

This is a major revision of the School Act which the department describes as less prescriptive, meaning that it allows greater flexibility than the School Act did. You know, it has been largely uncontroversial except for a move by some social conservatives to ensure that parental rights remain such as being able to receive notice and pull their kids out of sex education instruction or where sexual orientation is discussed and to remove a reference to the Charter of Rights, where sexual orientation is a protected ground.

This is generally modernization of the old School Act and mostly administrative in nature, and it has broad support among the school community and Albertans at large besides the provisions of section 16, diversity and respect. While it is large enough, a large bill, you know, we can probably find something to dislike about this. The majority seems agreeable to most because there are lots of good measures, like I said, in the bill, and this bill will generally improve education.

We oppose changes to section 16 as it discriminates against homosexuals. Section 16 of the new Education Act takes out the reference with respect to the Canadian Charter of Rights and Freedoms and the Alberta Human Rights Act in the previous act, and it replaces it with a reference to common values and beliefs of Albertans. As the school should be safe for everyone, including gays and lesbians, I don't know why this government won't stand up for gays and lesbians in Alberta. The Premier is a human rights lawyer. Don't gays and lesbians have specific legal rights in the Education Act?

Canada is an inclusive society, so why isn't the Education Act an inclusive act? We are the last province to include gay rights in the Human Rights Act. The GLBT are the most often bullied as they are seen as vulnerable. If bullying is a priority, why not include specific protection under this act? Bill 44, clause 9, specifically allowed parents to remove their children from instruction about gay and lesbian rights and lifestyles. Why discriminate specifically against gays and lesbians when it is not okay to discriminate against people with disabilities?

This act also replaces rigid, defined roles and responsibilities in the education system, and that contains most of the legislative guidelines regarding education in Alberta. This act was passed in 1988, and beside minor administrative changes it has not been revised since. You know, some of the changes are to modernize the School Act. The school board responsible for funding a child's education changes to where the student lives, and that's a good thing. I support that. Students currently get free high school education to the age of 19, and that will change to 21. This will give the opportunity to more Albertans to complete their education. I like this measure also.

9:30

The mandatory age to attend school changes from 16 to 17. That's also a good thing. Parents', students', and school boards' and trustees' responsibilities are also listed. Students are expected to take more responsibility. School boards must come up with codes of conduct, but not private schools, along with establishing a provincial bullying awareness week. These are all good things in the bill.

There are some good measures in the bill, and this will go a long ways to improving education in Alberta. As I said, I'm a strong supporter of the public education system, and we should be working to strengthen the public education system on the whole.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

Any comments or questions to the member under 29(2)(a)?

Seeing none, I'll recognize the Member for Lacombe-Ponoka.

Mr. Fox: Thank you, Mr. Speaker. It is my great pleasure to rise and speak to the educational needs of all Albertans and on behalf of the constituents of Lacombe-Ponoka. In the tabling of the new education bill I am pleased to see the changes made to the proposed act that was tabled in the last Legislature, specifically those eliminating the contentious sections that the parents and the Wildrose were opposed to. I'd particularly like to commend those recognizing the primacy of parental rights in the decisions in educating their children.

However, Mr. Speaker, there are still issues with the proposed Education Act. We the Wildrose believe that inclusivity for special-needs children is important but only with adequate supports. We've heard from many teachers that are concerned that special-needs children will be pushed into classrooms without the help, and that will be detrimental to both the children needing support and the rest of the class who have had their teacher pulled away to provide that support. I believe this to be in line with what is required in our classrooms.

A kindergarten teacher in my constituency has asked me to share a letter with all of you, my colleagues in this Legislature.

Dear [Mr.] Fox,

I would like to make you aware of some of the concerns I have regarding the Education system in our province and within your constituency. I feel that these concerns are very important and show that it is becoming more and more difficult for teachers to give top quality education to our children.

This is My Story.

Under the Learning Commission of 2002, the recommendation for Division One classes is to have no more than 17 students in a classroom. This year, I have 23 children in a full day, full time, 5 days a week Kindergarten class. The full time position is supported by the school (not the school board) which pulls money from other areas.

The Government is advocating for inclusive Education. The funding for Special Education has been frozen for the last few years, and I have heard that it will be reduced another 25% in the future. Of the 23 children in my class, 16 are on Individual Program Plans for Mild/Moderate needs. I have one full time Educational Assistant. At this point, the Educational Assistant is already pulled from the Kindergarten room to help in another classroom for 5 periods a week. I have been asked to let her assist in other Grade 1 to 9 classrooms in our school as well, to support the high number of special needs students in these rooms. This does not help support the special needs of our youngest students, nor does it help me to provide adequate instruction for the regular students.

She goes on to ask:

Why is it that the richest province in Canada is not helping to provide the best learning environment for our children?

With that, Mr. Speaker, I would like to cut my comments short and just thank you for the time here this evening to hear the issues of one of my teachers, one of my constituents, here in this Legislature. Thank you so much for your time.

The Deputy Speaker: Thank you, hon. member.

Are there any questions or comments under 29(2)(a)?

Seeing none, hon. member, I'd just like to remind you that it is customary and a requirement when you quote from a document that that document be tabled. I would hope that maybe tomorrow you would table the appropriate number of copies of that letter.

Mr. Fox: Yes, Mr. Speaker.

The Deputy Speaker: Thank you.

Other speakers to the bill? The hon. Member for Vermilion-Lloydminster.

Dr. Starke: Thank you, Mr. Speaker. I wasn't planning on speaking on this bill tonight, but I feel compelled to, so please, I beg the forbearance of my colleagues in the House if my comments seem a little bit scattered as I'm speaking with very few notes.

I'd like to make a few comments, first of all. I think that the province of Alberta has a great education system. I think a big part of the reason for our province's success over time – over the last not just 40 years but 50, 60, 70 years – is that we do have a great education system. That system is a credit to everyone who is involved with it, not us here but, rather, the teachers, the parents, the trustees, and all those who have safeguarded that system over the years. In fact, our Education minister shortly after the election attended a conference in Korea in which the province of Alberta's logo was included amongst the top education systems in the world, and I think we can be justifiably proud of that.

One of the principles that we can also be very proud of is the principle of choice. Under the overriding and overarching education system that we have in this province, we have a great deal of choices available to parents. We have public schools, we have separate schools, we have charter schools, we have private schools, at least in some areas, and, yes, we also have home-schools. I guess, part of my reason for speaking here in the Chamber is that tonight I had something confirmed to me which I have known for a long time. Now I know that it's also an opinion

held by the leader of the New Democrat opposition, and that is that home-schoolers are part of a fringe group.

Well, I'm a home-schooler, sir. I guess mainly more correctly put, we're a home-school family. My two sons didn't learn a whole lot from me other than maybe swearing and a few other bad habits, but I will tell you that my wife, who is a doctor of veterinary medicine who holds a master of business administration degree, felt it was important enough to teach our sons at home that she put her careers on hold for 15 years so she could teach them at home. Now, that was a choice, Mr. Speaker, that we made, and I will tell you that both my mother-in-law and my mother were public school teachers. They did not support the choice that my wife and I made at the time because they felt that it wasn't a good parental choice, so it's not like we had a ton of support. It's not like we had support in our community.

In fact, Mr. Speaker, part of the reason why we chose this route is because our oldest son, who now is in his third year of a master of divinity program at Concordia Lutheran Seminary and, God willing, in a couple of years will be ordained as a Lutheran pastor, taught himself to read at the age of two and was reading at a grade 9 level by the time he was age six. When my wife told a good friend of ours, a teacher, about this young man, that teacher said: you know, I used to really enjoy having students like Roland in my class, but now they're just a problem. So you can understand why we made the decision to home-school instead of sending this young, precocious man, who we thought had great potential – and I think he still has great potential – to a school where he would create a problem for a teacher.

We made that decision, and, you know, we're glad we did. That was 1993. I'd like to point out that not too long before 1993 home-schooling was illegal in this province, and you could be taken to court if you tried to teach your kids at home. You might also find it interesting, Mr. Speaker, to know that home-schooling is still illegal in two EU countries, namely Germany and Sweden. You can't home-school your kids in Germany or Sweden. In fact, there was a story in the recent *Epoch Times* about a family who have become educational refugees from Sweden, who have actually left Sweden to live on an island that is technically in Denmark so that they don't have their kids taken away from them by the Swedish government for home-schooling.

9:40

Mr. Speaker, it's interesting. Parenthetically, I'll tell you a story. When we lived in Germany 12 years ago and our youngest son was 10 years old – our younger son is also in university; he's taking a poli sci degree at U of C – he walked down the street one day, and he was going to go buy buns at the bakery. An elderly lady stopped him and said: why aren't you in school? We found out later that, in fact, everyone in Germany is entitled to be a truant officer. If they find a child on the streets during school hours, they're entitled to report that child at least in the state of Bavaria, where we lived. My son knew exactly what this woman was asking him, and what he did was feign that he didn't understand German, which actually worked pretty well. That's the kind of thing that home-schoolers fight against, and sadly we still fight that in the Legislature in 2012.

Why am I concerned about this? Well, I will tell you that we talk a lot about the concerns of home-schoolers, but I've been there, my friends. I've been there. I've taken the ridicule from people who say, "You know, your kid is going to be a weirdo, your kid is going to be socially inept," and all those things. I'll tell you that you have to stand up for what you believe in. My wife, I think, did a tremendous job in helping those boys along, and I'm terribly proud of her.

I have to tell you that where this then leads me today is that before the election, knowing that I was a home-school parent, I was approached by a lot of home-school parents, not just home-school parents but others. They told me that they chose home-schooling for a lot of different reasons but that the primary reason was one of choice, one of choice and one of freedom, one of the opportunity to choose when you taught, where you taught, what you taught, and why you taught. In fact, Mr. Speaker, that's why we chose home-schooling, and if you ask home-schooling parents, that's why they choose it.

This government has always supported home-schooling as a choice. This province is one of only two provinces in the dominion where home-schoolers are funded by the provincial government. Alberta and one other province: that's it. Everywhere else if you decide to home-school, you're on your own. In fact, we have parents from Saskatchewan moving across to the other side of the border to live on the Alberta side of Lloydminster so they can get funding for their home-school programs.

Mr. Speaker, in the spirit of some of the discussion we had during the throne speech debate when we talked about working together, I have to tell you that I am bothered by my colleagues in the Official Opposition when they stand up and insist that all of the changes made to the Education Act were purely due to their efforts. Guys, it wasn't just you. There were people on this side of the House, many of my colleagues, who also had the ear of the Education minister and urged him to make changes to Bill 2 as it was in the spring session. Maybe, guys, you could follow the lead of Harry S. Truman when he said: it is amazing what you can accomplish if you don't care who gets the credit.

Mr. Speaker, in that spirit I think that we have an excellent piece of legislation. I'd like to congratulate the Education minister because he has brought forward this Education Act in a real consultative format and in a way that I do believe has improved it. Is it perfect? No. Show me a piece of legislation that is. But it is very good. If it's not perfect, if there are areas where it needs improvement, I urge hon. members to bring forward amendments in Committee of the Whole.

I'd like to close, Mr. Speaker, by encouraging my colleague the hon. Minister of Education because to me what he has shown through the development of this bill as he brings it forward is that he's following the words of Indira Gandhi. Indira Gandhi once said: "There are two kinds of people, those who do the work and those who take the credit. Try to be in the first group; there is less competition there."

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

Standing Order 29(2)(a). Questions or comments? The hon. Member for Airdrie.

Mr. Anderson: Yes, Mr. Speaker. That was a very good speech. I really enjoyed that and commend that he's such a passionate defender of the rights of home-schoolers and parents in education.

But I would ask the good doctor if he would go back, if he had read the *Hansard*, if he had seen the debates, and if he had noticed that the only thing standing between that act being passed as was and not being passed was four members on this side of the House that were berated repeatedly in this House by members on that side of the House, including your Deputy Premier, calling us intolerant for sticking up for home-schoolers, calling us deniers of human rights, calling us antigay, calling us all sorts of things.

We stood here. We took it. We fought. We stood on the steps of the Legislature. We did interviews on it, being called all kinds of

things by media and bloggers and so forth. We did it. So before you get a little too self-righteous on that, remember that just a few months ago that legislation would have been passed, and the home-schoolers that approached you would have been out of luck because it would have been in the Education Act. We stood up and we fought it. We have given credit to this Education minister and to yourself. Just remember that some people had to be berated over and over and over again on your behalf and on behalf of home-schoolers across this province.

The Deputy Speaker: The hon. member in response.

Dr. Starke: Mr. Speaker, my response to the hon. Member for Airdrie – and I'll try to be succinct. You know, what you did in the spring session was fine, and it was great. I didn't read every line out of *Hansard*, but I was well aware of the opposition you placed in front of it. I thought I made my point about taking credit fairly clear, but maybe I didn't.

The Deputy Speaker: Are there other questions or comments?

I'll recognize the hon. Member for Rimbey-Rocky Mountain House-Sundre.

Mr. Anglin: Thank you, Mr. Speaker. I just want to make a note that I'm not rising for the second time speaking on this bill. It was an error the first time, if you remember correctly. I actually went and spoke on three bills all at once.

Mr. Anderson: A multitasker.

Mr. Anglin: I am a multitasker.

But I do want to extend my congratulations to the government and to the Minister of Education because there were some serious flaws in the previous bill – serious flaws – and I'm going to share some experiences on that. Something took place here that I think is significant, and it doesn't take place very often, which is that the minister listened and did make some changes. I know there are people who don't agree with the changes, but the reality is that this is about a democratic process.

I have to tell you that I learned something about my constituency during that whole process. I was not elected at the time, but even when I ran for office and since I've been elected, what I discovered about my constituency is just how prevalent home-schooling was. I knew it existed. I have friends who do it. What I didn't realize was how many people were doing it. I live in a very rural, sparse riding, and there are hundreds and hundreds, maybe thousands. It's absolutely amazing how many people take advantage of this, and what they were worried about was their right to choose. That was their concern.

I have to tell you that, like with many other issues, mostly this government doesn't listen. It took thousands of people to come up to the Legislature. To me, that's really not necessary. There were petitions from all around the province. The reality is that you hear these things, and you don't necessarily have to see them. But it happened, and you made the changes, and I'm grateful for that. But it shouldn't be like pulling teeth to make changes. We can read this legislation. We can see mistakes. We should not be afraid to make the changes and should not be afraid to even admit when we try to make changes that we might have to correct those. Nothing can be perfect. We always need to listen to the criticism and be willing to work on that.

Now, there are a couple of things that didn't happen in the bill. I'm not sure if they should or should not be in it, and maybe the minister can comment on it when I'm done.

9:50

School bus safety. Yes, we have a great school system, but I will tell you, knowing other jurisdictions, that our school bus safety is not up to par, and it's not the best. In my own community we had an extreme tragedy, and I can tell you that there are other jurisdictions where no motorists would dare pass a school bus. They would not. The penalty is too stiff. Something that maybe this bill could actually take a look at is school bus safety. We did talk about bullying on the school bus, and that would be an issue, but school bus safety is more than bullying. In my community nearly 80, 85 per cent of all students ride in these school buses for great distances. In my community alone – I live in the town of Rimbey – some of those students don't get home for 90 minutes after school. That's how long it takes the school bus to make its route. So it is something that is actually of deep concern.

The other thing that was mentioned – and we do need to address this – is the amount of money that we fund education with and how much of it goes to administration versus how much gets to the front line. We are losing teachers, and particularly with special needs we do not have enough aides. I'm hearing that from school board to school board to school board, and that is significant. You need to hear that.

Dealing with these types of issues is significant, yet all of a sudden, even in my own riding, I'm hearing that teachers are going to take a trip to Las Vegas on the school board's dime to attend training. Now, I'm not against teachers' training. I think teachers' training is absolutely important. But do they need to go to Las Vegas in the winter? I have to tell you that that looks like the Premier's trip to the Olympics. I mean, it is a holiday. You can't look at it any other way. Professional training is absolutely necessary, but the fact is: do you need to spend the money to go there versus bringing that training here? That is about being efficient and dealing with the whole issue of properly spending money and having accountability.

The other thing. I do want to talk about this because it is important, and it's one of the great advantages of being here in Alberta. My whole family went to Catholic school. I got expelled in the first grade, so I went to public school.

An Hon. Member: Really?

Mr. Anglin: Yes, from an Irish Catholic family. I devastated my family. I was public school educated. I'll explain that later.

My son, who does not take after me, who takes after my wonderful wife, is an extremely brilliant child. He's an extremely brilliant kid. He was 17 years old, and his teachers came to me and said: "He has surpassed us in physics. He has surpassed us in calculus." So we had to go do something to help him be challenged because his teachers couldn't challenge him anymore. For us there were options out there, and that to me is the real value. I mean, there's no question about it.

We can't create a perfect world legislatively, but we can create the options and give the parents the rights to take those options and make good use of them. That's what I was able to do. I was able to find something private for my son so that I could challenge him, so I could have him challenged, so that he could continue on. Lo and behold, my daughter is in the arts and music, and that's a big issue. I take my daughter now up here to Edmonton so she can

then choose to go, and actually she excels at what she does, playing the piano. She taught herself on the guitar, and now she's gotten into drama. These are things that are all part of her education.

It's because of our educational system and the broad choices we allow that allows that to happen. What I would like to see is that all Albertans have the access that I have, and I know not all of them do. That is an issue of poverty versus somebody who can afford to take them. It is an issue that we have to think about. We can make improvements.

I want to say something that is near and dear to my heart. Anybody can take credit for making changes. You're right. Not anyone can say that they stood out on those steps or stood out on the front line. You either are there or you're not. I'll tell you something, and you need to think about this in that caucus over there. If you stand up too strong, you will find yourself sitting over there behind him. It's happened, and that's important to know. You can giggle about it, but that's a fact. I have fought this government. Many of you know this, and many of you will never come and debate me on those issues when I go out and fight, and I still do it.

The reality is that it takes a lot of courage to go out there, and it's easy to criticize from way back there, isn't it? There is the difference. I'm going to share something that Gandhi did say: first they will laugh at you, then they will mock you, and then they will listen.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

Any questions or comments under 29(2)(a)?

Seeing none, are there other speakers who wish to speak on the bill?

Seeing none, I will ask the Minister of Education to close debate.

Mr. J. Johnson: Thanks, Mr. Speaker. I just want to say that there have been some great comments here tonight and some great debate. You can get the sense of the passion and the diverse views not only in this room but that reflect what's happening right across Alberta with this very important bill. But I do believe that we found a good balance between some of the contentious issues of affirming the role of the family in Alberta while still making sure that we're not eroding any application of the very important and foundational Alberta Human Rights Act.

We have been given some good questions, and we'll come back and be able to discuss those at length in committee. Right now I'd like to call the question, Mr. Speaker.

[Motion carried; Bill 3 read a second time]

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

Mr. Campbell: Thank you, Mr. Speaker. Seeing that it's close to 10 o'clock and that I think we've made good progress tonight, some real good discussion on bills 1 and 3, I'd ask that we adjourn the House until 1:30 tomorrow afternoon.

[Motion carried; the Assembly adjourned at 9:57 p.m. to Thursday at 1:30 p.m.]

Table of Contents

Government Bills and Orders

Second Reading

Bill 8	Electric Utilities Amendment Act, 2012.....	233
Bill 1	Workers' Compensation Amendment Act, 2012.....	233
Bill 3	Education Act.....	238

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