

Legislative Assembly of Alberta

Title: **Tuesday, December 3, 2002**

1:30 p.m.

Date: 02/12/03

[Mr. Shariff in the chair]

head: **Prayers**

THE ACTING SPEAKER: Let us pray. Our Father, we confidently ask for Your strength and encouragement in our service of You through our service of others. We ask for Your gift of wisdom to guide us in making good laws and good decisions for the present and the future of Alberta. Amen.

Please be seated.

head: **Introduction of Visitors**

THE ACTING SPEAKER: The hon. Member for Lethbridge-East, Leader of Her Majesty's Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you a former Member of this Legislative Assembly. Nick Taylor served the province of Alberta from 1986 to 1994, first as an MLA for the constituency of Westlock-Sturgeon and then the constituency of Redwater. Nick was leader of the Alberta Liberal Party from 1974 to 1988. Then he served all Canadians as a Senator from Alberta and now faces retirement. Why are you back here, Nick? Looking for another job? Nick has been very involved in the oil and gas exploration industry with a reputation that is worldwide. Please join me in giving Nick Taylor a warm welcome back to the House.

MR. OUELLETTE: Mr. Speaker, it gives me great pleasure to rise today to introduce to you and through to all members of the Assembly a man that is no stranger to this House. He represented the great people of Innisfail-Sylvan Lake as their MLA from 1989 to 2001. He served on numerous committees and did a great job for all Albertans. He is still very active in government. He's also very active in the Innisfail-Sylvan Lake constituency keeping the new MLA in that constituency on track, and everyone knows how tough a job that is. He is seated in your gallery, Mr. Speaker, and at this time I would like Gary Severtson to rise and have a warm welcome from the House.

THE ACTING SPEAKER: The hon. Member for Bonnyville-Cold Lake.

MR. DUCHARME: Thank you, Mr. Speaker. It is with great pleasure that I introduce to you and through you to the Members of the Legislative Assembly Mr. Scott Sutton, the Ombudsman for the province of Alberta. Mr. Sutton is seated in your gallery, Mr. Speaker, and I'd ask that he please rise and receive the traditional warm welcome of the Assembly.

head: **Introduction of Guests**

THE ACTING SPEAKER: The Minister of Agriculture, Food and Rural Development, Deputy Premier.

MRS. McCLELLAN: Thank you, Mr. Speaker. It is my pleasure today to introduce to you and through you to all members of the Assembly a very accomplished young woman, Lauren Chykalsky. Lauren is from Peace River. She is with us today in your gallery, Mr. Speaker. Lauren is the 2002 Premier's 4-H award recipient, the

highest honour the 4-H program bestows on a member. The Premier's 4-H award winner recognizes that youth demonstrate strong project management, leadership skills, dedication to service. They exemplify the 4-H motto of Learn to Do by Doing. Lauren's parents, Walter and Jeanne, and sister Tara are accompanying her today, and I would invite Lauren and her family to rise and receive the very warm welcome of this Assembly.

THE ACTING SPEAKER: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you, Mr. Speaker. It's indeed a great pleasure and an honour to introduce to you two groups visiting here today. First of all, some very special guests who are here from Velma E. Baker elementary school. These are grade 6 students. Among other things they are touring the Legislature, and they're also taking part in the mock Legislature session. Could I ask all the students from Velma E. Baker school, Reva Robillard, the parents and helpers who are here with them to please rise and receive the very warm welcome of our Assembly.

Secondly, Mr. Speaker, it is an additional honour for me to introduce to you and through you to all members of the Assembly some very special guests who are seated in the members' gallery. They are board members, both current and past, of the Premier's Council on the Status of Persons with Disabilities. I would ask each of them to give us a wave or a nod or, if possible, to rise as I announce them: Shirley Dupmeier and her Seeing Eye dog, Willie, from Medicine Hat; Judy Hellevang from Calgary; Gerald Gordey from Edmonton; Jim Killick from Morinville; Helen MacHugh, the personal care attendant for Jim; Margaret Conquest from Edmonton, who also chaired today's international day in recognition of disabled persons at city hall; past members Anne Belehorec from Sherwood Park, Ruth Petersen from Edmonton, and George Schmidt from High Level; and a council staffer, Pheona Churn; and others who are in their entourage. Please join me in giving them a very rousing and a very warm welcome on this very special day.

THE ACTING SPEAKER: The hon. Minister of Transportation.

MR. STELMACH: Well, thank you, Mr. Speaker. Today I'm truly honoured to introduce to you and through you to the Members of this Legislative Assembly three gentlemen seated in the members' gallery. The first gentleman is Mr. Jim Morrison of Reid-Built Homes. Second, is Mr. Bob Carwell, who is the chairperson of the Edmonton transportation cluster group, from a company called Logistix, and another person who is quite familiar to many in this Assembly, Mr. Bob Rosen from City Lumber. All three are very instrumental in setting the transportation cluster group's plan for Edmonton transportation needs well into the future. I see that they've risen in the gallery. Please offer them a very warm welcome.

THE ACTING SPEAKER: The hon. Member for Edmonton-Rutherford.

MR. McCLELLAN: Thank you, Mr. Speaker. Today it is my very great pleasure to introduce to you and through you to members of the Legislature 28 students and four teacher's helpers. They are students at the St. Stanislaus school here in Edmonton in the constituency of Edmonton-Rutherford. It is a bilingual French immersion school. The students are accompanied by M. Jean-Francois Bugeaud, M. Guy Bussiere, Mrs. Nicole Plamondon, and Mrs. Elaina Anselmi. I would ask all members to please give these students and their teachers the traditional warm welcome of the Legislature.

MR. LORD: Mr. Speaker, it is my great pleasure today to rise to introduce to you and through you to all members of this Assembly a number of the people who are making it happen at CKUA Radio, which is celebrating its 75th anniversary this year. I would ask that the following, who are seated in the public gallery behind me, rise as I call their names and be recognized: Ken Regan, general manager, CKUA Radio Network; Bud Steen, chairman, CKUA Radio Foundation board of directors; Henry Scheil, treasurer; Ian Nicol, secretary; Sharon McMullan-Baron, officer with the board; Ralph Henderson, officer with the board; Jack Hagerman, host and producer of *The Old-Disc Jockey* and former general manager.

I might add that an important note in Alberta history is that Jack did the first radio broadcast of a question period of any Assembly in the British Commonwealth, the entire British Commonwealth. He did that right here in this Assembly. So a very important piece of Alberta history there.

We also have Wes Denison, volunteer and president with the Edmonton chapter; David Ward, host and producer of *Alberta Morning* and the *Bluegrass State of Mind* show; Kristine Britt, executive assistant; Danielle Scheil; and finally Maureen Workman, who is the volunteer co-ordinator of CKUA Radio Network. I would ask that we all please give these people the warm traditional welcome of the Assembly.

THE ACTING SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

1:40

MR. LOUGHEED: Thank you, Mr. Speaker. I'm pleased today to rise and introduce to you and the members assembled Oliver Cardinal, a member of the Alberta Disability Forum. I'd ask that Oliver please wave from the members' gallery and be acknowledged by the House.

head: **Oral Question Period**

THE ACTING SPEAKER: The Leader of Her Majesty's Official Opposition.

Class Sizes

DR. NICOL: Thank you, Mr. Speaker. Last week the Minister of Learning claimed that teachers support raising class sizes in order to fund their salary settlements. My questions are to the Minister of Learning. Has the minister talked to a single teacher in Alberta who wants larger class sizes?

THE ACTING SPEAKER: The hon. minister.

DR. OBERG: Thank you very much, Mr. Speaker. When you take a look at class sizes around the province, first of all, on the study that we did last year from kindergarten to grade 6, the average class size was 23. When you take a look at all the data that is out there at the moment, what they say is that, basically, the solution to class size is more flexibility. I think everyone in this Assembly knows that a class, for example, that has 12 students where three or four of them have learning disabilities is completely different than a class of 30 students where everyone is a top-notch student. So the answer to that is flexibility. I believe that the majority of studies out now are backing me on flexibility, and hopefully that's the direction we'll go.

DR. NICOL: Again to the Minister of Learning. Why has the minister misrepresented the position of the ATA in last spring's arbitration?

DR. OBERG: Mr. Speaker, I would be more than happy to submit to this Assembly the arbitration ruling where the arbitrator stated exactly what the ATA had said.

DR. NICOL: Will the minister permit school boards to increase revenues if the alternative is to increase class sizes?

DR. OBERG: Mr. Speaker, again, I find this line of questioning about the public education system increasing revenues completely shocking and against what has been said in the past. There are specific lines, specific directions as to how they can raise revenues. I do not believe that they need to fund-raise more, if that's what the hon. Leader of the Opposition is getting at. Our teachers are now paid probably anywhere from 7 to 15 percent higher than any other teacher in the country.

DR. NICOL: Mr. Speaker, the Minister of Learning has frequently said that when it comes to class sizes, school boards should have the flexibility to set whatever class sizes are appropriate. While parents complain of class sizes numbering 38 children, is the minister satisfied that his policy of flexibility is working?

DR. OBERG: Mr. Speaker, there are a lot of different reasons as to why there are class sizes of 38. For example, last night I heard from the Member for Medicine Hat about a class size in his school that was actually 39 students. When asking the principal of that school, he said it basically turned out to be a scheduling issue, and they decided to put those students together.

Mr. Speaker, the key is that they decided on what to do. That's something that we feel very strongly about. The Alberta School Boards Association has continually made representations to me about giving them more flexibility on how to spend their money, more flexibility on making these decisions, and quite frankly that's something I agree with.

DR. NICOL: Again to the minister: what use is it for parents to plead with school boards that clearly do not have the flexibility to maintain appropriate class sizes?

DR. OBERG: Well, Mr. Speaker, I believe that they are elected every three years. The parents have the ability to make representation to any school board that I've ever seen. If there is any school board that is not allowing parents to make representation to them, I certainly would like to hear about it, and I will certainly look into it. They are quite capable of doing that.

DR. NICOL: Again to the minister: how can the minister maintain the myth of flexibility when school district after school district is being forced to increase class size to pay for the government-ordered arbitration settlement?

DR. OBERG: Mr. Speaker, if you remember, back in the spring of this year, Larry Booi, the president of the ATA, went to our Premier's office and asked that there be compulsory arbitration, asked that the teachers' strike be ended that way. This was not government-ordered arbitration; this was a request from both parties to end a very drastic strike. The opposition could have quite easily allowed these people to stay out, but we wanted the students back in the classroom; the ATA wanted to get back into the classroom; the School Boards Association wanted to get back into the classroom so that the students can learn because that's what they're there for.

Victims of Violence

MS BLAKEMAN: Mr. Speaker, in an excerpt from an April 2002 news release the Solicitor General is quoted as saying, "The provincial government is following through on its commitment . . . to ensure a more meaningful voice in the justice system for victims." In the 2001-2002 Solicitor General annual report it states, "My ministry continues to make strides in ensuring that victims of crime play a significant role in the justice system, and are treated with the dignity and respect they deserve." My first question is to the Premier. Has this government's policy towards victims of abuse changed in the past weeks, and what is this government doing to ensure that victims of abuse are not denied their day in court?

MR. KLEIN: Mr. Speaker, our policy hasn't changed at all. This pertains to the Criminal Code, and as I understand it, law enforcement agencies in this province treat abuse as a very serious situation. If they find evidence or if they deem that there's enough evidence that abuse has taken place, then charges will be laid, as they should be.

MS BLAKEMAN: My next question is to the Solicitor General. What specifically will the Solicitor General do in terms of new policy and programs to ensure that victims of violence get a more meaningful voice in the justice system?

THE ACTING SPEAKER: The hon. Solicitor General.

MRS. FORSYTH: Thank you, Mr. Speaker. What the Solicitor General will do is continue to listen to Albertans on what they want and the police and the policing community.

THE ACTING SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you. Again to the Premier: what is this government prepared to do to offer restitution to victims of domestic violence who have lost their day in court due to interference by a third party?

MR. KLEIN: Mr. Speaker, that question is not only cruel, insensitive, and stupid, but it bears no relationship to anything that is happening relative to government policy.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands.

Rate Riders

MR. MASON: Thank you very much, Mr. Speaker. Today the New Democrat opposition announced proposals to eliminate rate riders from Albertans' power bills. Recognizing rate riders for what they are, a cynical ploy to lower power bills before the last election only to raise them again once the government was safely re-elected, the New Democrats are calling for their immediate elimination. This proposal will save power consumers \$260 million in unfair and discriminatory power costs. My question is to the Minister of Energy. Will the minister support the New Democrat opposition's proposal to eliminate the 2003 rate riders?

MR. SMITH: Mr. Speaker, first this party supports big business – the big business of a utility company – and now this party wants us to pay \$260 million to that big business? What kind of guys are you really?

MR. MASON: Mr. Speaker, given . . . [interjections]

THE ACTING SPEAKER: Hon. members, the hon. Member for Edmonton-Highlands has the floor.

MR. MASON: Thank you, Mr. Speaker. Given that the minister knows full well that those rate riders are not paid by the power companies but are in fact paid for by consumers, how can he justify spending \$2 billion in expenditures to reduce power bills before the last election but turn up his nose at a modest proposal to actually give some real relief to power consumers that's not just before an election?

1:50

MR. SMITH: Well, Mr. Speaker, repaying \$260 million to his favourite – I don't know; possibly – donor would be, I think, not in the best interests of Albertans. The \$2 billion that was repaid to Albertans in the 2001 period was paid to the individual Albertan via the Balancing Pool. They are the proceeds that were delivered as a result of these auctions that took place of the power purchase agreements in the year 2001. It was determined that these funds should be returned to Albertans as quickly as possible, as transparently as possible, and as efficiently as possible. If we were to follow down the line of zany reasoning that the hon. member has suggested – for example, in 2001 ATCO, which has a rate of 4.9 cents a kilowatt-hour, very, very close if not lower than the rate offered prior to regulation, if they then refunded a rate rider, we would have to actually go back and collect the rate rider from them.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. Why does this minister continue to try and pull the wool over the eyes of Albertans by trying to pretend that it is EPCOR that has to pay the rate riders when he knows perfectly well that it's people all over Alberta, not just in the EPCOR service area, that are paying rate riders, which are merely paying back the power companies for giving the government cheap power before the election?

MR. SMITH: Well, Mr. Speaker, in answering this question, first let me recognize how nice it is to see you in the chair in such an important period in the House.

Secondly, Mr. Speaker, the only wool that's being used right now is the woolly reasoning employed by the hon. member of the ND, who have long had a tradition of milking taxpayers and then giving them their own money back. In fact, if you look at ND, New Democrat, electricity policy across this country, you will see that they have generated some \$100 billion in taxpayer debt that the taxpayers of future generations are going to have to pay back simply because they didn't have the guts to put real electricity policy out-front in today's marketplace.

THE ACTING SPEAKER: The hon. Member for Calgary-Shaw.

Allegations of Interference in Justice System

MRS. ADY: Thank you, Mr. Speaker. When a person becomes a public servant, they never really know the extent to which their life may be the focus of attention or come under scrutiny. Certainly, it is difficult for those looking on and in the absence of full information to distinguish between fact and fiction or, say, the actions of a concerned mother for her child versus something else. Over the last

few days there have been allegations made and a great deal of speculation about the process involved in determining whether an investigation is warranted into the allegations concerning the Solicitor General. My question today is for the Attorney General. Could the Attorney General advise the House as to exactly what process he's undertaken to review this matter?

THE ACTING SPEAKER: The Minister of Justice and Attorney General.

MR. HANCOCK: Well, thank you, Mr. Speaker. All members of the House will know that under the British parliamentary tradition the Attorney General is not only a minister of the Crown and a member of the House but also stands alone in terms of being responsible for matters of public prosecution. The short answer to the member's question is that the matter referred to will be handled in exactly the same manner as we handle all allegations that are made to the office of the Attorney General.

That process is that if an allegation is made to our office, it is referred to the prosecution service to obtain information and to review that information to determine whether the allegations warrant any further investigation. The decision as to whether or not an investigation should be undertaken is made by the prosecutor's office. Indeed, any determination made by the Crown with respect to any file brought to the prosecutor's office is made by that office without any direction or interference from a political office, including the office of the Attorney General.

In the case of any real or perceived conflict, it is our practice to seek an outside independent opinion. Specifically, we ask another jurisdiction to do an independent assessment of the file. When we ask for an outside assessment, we do not advise the outside party of what our opinion is or in any other way bias their view. We give them the information we have, we ask them to determine what other information they might need, and we ask them for their advice and direction with respect to what ought to be done.

In regard to the allegations concerning the Solicitor General, I can advise that we have asked the department to gather information. We have now approached the government of New Brunswick and the Crown prosecutor's office in New Brunswick to assess the information and to advise us as to whether there should be anything further undertaken. Let me be very clear. There is no investigation at this time. We have simply asked New Brunswick to do an independent assessment of the information available to determine whether any further action is warranted.

Asbestos Removal at Holy Cross Hospital

DR. TAFT: Mr. Speaker, stop-work orders are issued for significant workplace safety violations, and it is clear from the government's own regulations as well as its staff that stop-work orders are intended to be public. Despite this, repeated requests for copies of the stop-work order issued as a result of the asbestos release at the Holy Cross hospital have been denied both to our staff and to legal counsel. To the Minister of Human Resources and Employment: can the minister explain why the file concerning the asbestos release at the Holy Cross appears to have been covered up even when regulations and the minister's own staff say it should be public? Why the stone wall?

THE ACTING SPEAKER: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Well, thank you very much, Mr. Speaker. On the

particular question there has been an investigation. As I understand it, there have been concerns about the cleanup of the asbestos. The latest information that I have is that there are actually discussions going on now between our staff and the Minister of Justice surrounding the area, and this may, then, have led to some of the problems that he might be having in terms of gaining access to material. There's certainly nothing that has come from me as the minister, from the minister's office, in terms of restricting any information from anybody here in the public.

DR. TAFT: Mr. Speaker, stop-work orders by regulation are public or at least are intended to be. So will the minister commit to immediately releasing not only the stop-work order but also all supporting documents that go with it?

MR. DUNFORD: No, I won't make that commitment. As I stated in my first answer to the question, in my view there's an ongoing investigation under way. We have provided material to the Minister of Justice's office, and we're waiting for direction. I'm not going to, for the sake of a question in question period, do anything or say anything at this point in time that might hinder an ongoing investigation.

DR. TAFT: Given the obvious secrecy over this incident, what assurances can the minister give this House that all affected parties – workers, staff, and residents – have been properly informed of their exposure to asbestos at the Holy Cross site?

MR. DUNFORD: Well, you know, the tone of the question is as if some sort of conspiracy is at play here. I want to assure the hon. member that as much as he likes to play politics over workplace health and safety – and we've had indication of that in the House here previously – we have policies and procedures in place. An investigation is under way, and there's currently information that's been provided to the Minister of Justice to see whether or not we need to proceed with any further court hearings.

THE ACTING SPEAKER: The hon. Member for Vermilion-Lloydminster.

2:00

Agricultural Assistance

MR. SNELGROVE: Thank you, Mr. Speaker. It's been a difficult year for those in the agriculture business, and I would like to mention on behalf of the farmers and ranchers of Alberta that we do appreciate the hard work the minister and, in fact, her entire department have done for everyone. Thanks very much.

In an effort to stay current and provide new programs that better reflect the reality of agribusiness today, the various ag departments are developing pilot projects throughout Alberta. To the Minister of Agriculture, Food and Rural Development: could you please explain who is ultimately responsible for the development and implementation of these projects, and can you assure the participating farmers and ranchers that they will not be put at any extreme disadvantage by participating in these pilot programs?

MRS. McCLELLAN: Mr. Speaker, first of all, it has been a difficult year for agriculture in its entirety, and my thanks go out to all of my colleagues in this Legislature who have had a part in trying to alleviate that difficulty over this year.

The issue of programs and pilot programs in Ag Financial Services is one that our caucus has spent a great deal of time on. We try very hard to have insurance programs in place that respond to the

various regions of this province because agricultural conditions are not the same across the province. Hence, when we design a new program, we tend to run it purposely in a pilot area rather than putting it provincewide because you may find some anomalies in that program.

One of the programs that I know the hon. member has great interest in is the cereal silage program. That was run this year in a small part of the province as a pilot, and sure enough we found some anomalies in that program. However, the information that we have gained and the learning process of applying something that is theoretical into practice, I believe, will allow us to take those anomalies out of the program and have a very good, strong program that we can extend to a greater part if not all of the province for next year.

MR. SNELGROVE: My first supplemental is to the same minister. Farmers and ranchers in the Gem area north of Brooks and the Rivercourse area south of Lloydminster believe they have been treated unfairly because of glitches in the pilot program due to the lack of or accuracy of information being shared between the different departments. Because these were jointly developed programs, the regular crop insurance appeal process does not apply to them. Could the minister explain the process that these producers could appeal to for an independent or unbiased hearing so that they can be assured of fair compensation?

THE ACTING SPEAKER: The hon. minister.

MRS. McCLELLAN: Thank you, Mr. Speaker. Well, first of all, I can assure you that the MLAs in both of those areas have been very aggressively pursuing this issue with the minister and with Ag Financial Services, who are the operators of the program.

First of all, Mr. Speaker, the first thing that we try to do is pull together all the information that we had on the program, look at the information as to how it applies to the guidelines of that program, and make sure that the information that we had was applied fairly in the program. This comes to one of the anomalies that we have in those programs, where the program worked for 90 percent of the area but because of some very unusual circumstances, which nobody would doubt happened this year across the province, did not work for 10 percent.

What we have agreed to do is completely review that to ascertain whether we can take any information that is available to us to answer the concerns in the 10 percent. Nobody is disputing the fact that there are some unusual circumstances in those areas. However, because it is an insurance program and because we do have a responsibility under the contract of that program, we have to take the time – we being the Ag Financial Services Corporation, who administer that program – to see if any information that they've been able to garner will help to alleviate those concerns in that 10 percent.

MR. SNELGROVE: With the bleak outlook in regard to the current moisture levels in Alberta what, if any, new programs are you planning to bring forward to help with this potential problem and to ensure the long-term viability of agriculture in Alberta?

MRS. McCLELLAN: Mr. Speaker, no question: the insurance programs are critical to the ability of our producers to insure as much as possible against production loss. One of the things that I think is the strength of the program is producer input. Last year we had a group of my colleagues who visited and had focus meetings with farmers from across the province to try to deal with some changes in crop insurance that were important. This year three of my colleagues took the time – somebody from north, central, and

south – to talk with producers across the province on the pasture program, the hay program, 4-H programs, cereal and silage programs. It is my expectation, with that knowledge that they have brought back, that we will be able to adjust those programs, to, I hope, offer them provincewide, and in that way allow producers to take advantage of the risk management tools that are available to them so that this government does not have to react in an ad hoc manner. Producers don't like ad hoc programs; governments don't like ad hoc programs.

THE ACTING SPEAKER: The hon. Member for Edmonton-Gold Bar.

Electricity Deregulation

MR. MacDONALD: Thank you, Mr. Speaker. It is the yearly anniversary of Enron's spectacular bankruptcy filing in America. Enron's spectacular failure is very similar to what has happened in this province with our electricity deregulation scheme as promoted by this government. Enron was a billion-dollar fiasco in America; electricity deregulation is a billion-dollar fiasco in this province. It is the greatest Tory blunder of all time. My first question is to the Minister of Energy. What role did Enron play in promoting and implementing electricity deregulation in this province?

MR. SMITH: Mr. Speaker, the member is sitting dangerously close to the third party.

We will say that at the period of deregulation, when it started January 1, 2001, in Alberta, I was not the minister of this portfolio and, therefore, would not be able to accurately comment.

THE ACTING SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you, Mr. Speaker. Given that this minister is dangerously close to rejoining the backbenches, again to the same minister: given that there are 38,000 documents, costing over \$15,000 to the Official Opposition, indicating a major role between the government of Alberta and Enron in electricity deregulation, will that minister commit in this House this afternoon to tabling those 38,000 documents for the benefit of not only this member but also Alberta consumers, who are footing the bill for this expensive deregulation scheme?

THE ACTING SPEAKER: The hon. Minister of Energy.

MR. SMITH: Well, thank you, Mr. Speaker. The member, as he has demonstrated in the past, is very cognizant and aware of the methods used in the freedom of information policy guidelines. The policy is open for everyone. There is absolutely unfettered and open access of this government like there's never been of any other government in the dominion of Canada, including the federal government. We would simply ask the member to use the appropriate means that are available to him or, of course, entertain yet another motion for openness and transparency, and that's written questions.

MR. MacDONALD: Again, Mr. Speaker, to the same minister: given that the only thing higher than Alberta power bills these days are FOIP request estimates to the Official Opposition, will the minister, then, commit to waiving the fees entirely to the Official Opposition and surrendering the 38,000 documents which indicate that Enron has been involved in government deregulation?

2:10

MR. SMITH: Mr. Speaker, we have an outstanding public service, who work diligently and hard each day. They're here contributing

to a better Alberta. Those activities of those individuals are for the future; they're certainly not for the past. There is, of course, the freedom of information mechanism, that the individual can use. He can use letters and correspondence to me, as the other member has today. We look forward to specific and succinct information requests from the member and would entertain them in the most open fashion, as this government has become known for.

THE ACTING SPEAKER: The hon. Member for Little Bow.

EPCOR Billing Practices

MR. McFARLAND: Thank you, Mr. Speaker. Last week we heard the NDs tell us that EPCOR wasn't to blame for anything, that it was simply the cost of power that was to blame. On Friday, this past Friday, I was informed by one of my constituents, that had just lost her husband and moved from a farm into a nearby community, that after having over 30 years of business with Calgary Power, TransAlta, Aquila, and now EPCOR, she would have to pay them \$140 to do a credit check in order to set up a new account. Clearly not a government direction. Mr. Minister of Energy, I would like an explanation for this House why EPCOR can get away with charging that kind of money for a long-standing customer who changed simply because of her marital status.

MR. SMITH: Mr. Speaker, I think that it's very important, because there are cases – and if I can just relate personally. In the marriage situation we've ensured that my wife carries a credit card so that in case anything did happen to me, she would be able to get credit on an easily available basis. I think this is one of those instances where that could prove the case.

We have checked with EPCOR, and EPCOR, as any commercial entity would do, undertakes to check a consumer's credit history. They then require only a credit deposit from customers with a poor credit history or no established credit history. So a customer who has an exemplary or good credit history with EPCOR would not be assessed as charged. If a deposit, though, is needed, the deposit is held for the first 12 months of service, and if the customer has paid all the bills on time, the deposit is returned to the customer. Now, Mr. Speaker, if the customer closes their account which is in good standing during these 12 months, the \$150 deposit would pay for any power used since the most recently paid bill, and the balance then is returned to the customer.

THE ACTING SPEAKER: The hon. Member for Little Bow.

MR. McFARLAND: Thank you, Mr. Speaker. My second question, from a second constituent. EPCOR has substantially overcharged this customer to the tune of \$1,500 for a home in a small community, demanded and received payment, and subsequently has a large credit. When the customer asked to have it refunded – who wants to have \$1,200 sitting in somebody else's account? – they were told that it would remain as a credit. To the minister: why can EPCOR hang on to the money? The customer isn't asking for interest. They simply want the money back.

MR. SMITH: Well, Mr. Speaker, that policy, which is a policy established by EPCOR, is to credit the account, but if the customer insists and phones or contacts EPCOR, then it's my understanding that the company, EPCOR, will in fact send them a cheque.

THE ACTING SPEAKER: The hon. Member for Little Bow.

MR. McFARLAND: Thank you. My second and final supplemental is to the same minister. With respect to EPCOR's applications to the EUB for the year 2003 under the regulated rate option, are you aware if EPCOR has in fact applied for any new rate riders?

MR. SMITH: Mr. Speaker, that is a very good question. Work is being done at the board level, as I understand it, right now, because the 2003 regulated rate option should be coming available to all consumers, whether they be in the ATCO service area, the Aquila service area, the Enmax service area, or the EPCOR service area. Unfortunately, those services by Enmax and the EPCOR city area will not be under the purview of the Energy and Utilities Board until next year. But it's my understanding and, again, the information that I have is that EPCOR has not applied for any new rate riders for the EPCOR/Aquila service region in 2003. The 2000 and 2001 rate riders will continue to show up in 2003 in accordance with the previous EUB decisions. Both of these rate riders will expire on December 31, 2003. Aquila has also applied to the Energy and Utilities Board to establish new rates for distribution costs, and that EUB decision is expected by the end of February.

Proposed Blairmore-Bellevue Water Pipeline

MR. BONNER: Mr. Speaker, the Crowsnest Pass Ratepayers Association has expressed many allegations to this government with regard to the proposed Blairmore-Bellevue water pipeline. These concerns deal with the municipality's handling of taxpayer dollars in implementing a project. My questions are to the Minister of Municipal Affairs. Has the minister met with the municipality with regard to this issue?

THE ACTING SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you, Mr. Speaker. The short answer is: no, I haven't, but I'm aware of the situation. I understand that we are going to be meeting with them on that very topic.

MR. BONNER: To the same minister, Mr. Speaker: is the minister going to conduct an inspection under the provisions allowed in the Municipal Government Act?

MR. BOUTILIER: Mr. Speaker, we will follow what is in the law of Alberta, but I want to again assure the member that we'll certainly update this House relative to our meeting, relative to this very important issue that is in front of us. We're dealing with it and investigating it.

MR. BONNER: To the same minister, Mr. Speaker: what is this minister prepared to do to address this very serious issue?

MR. BOUTILIER: Mr. Speaker, the same answer as to question 1 to the hon. member.

THE ACTING SPEAKER: The hon. Member for Edmonton-Strathcona.

Tuition Fees

DR. PANNU: Thank you, Mr. Speaker. University student tuition has more than tripled in the last 10 years in this province. This is a rate 500 to 600 percent more than the rate of inflation. Now, on top of another 6.4 percent tuition increase for all students the University of Alberta is proposing differential tuition fees, that could see tuition in the faculties of Medicine, Law, or Business go up as much as

\$50,000 for a four-year degree. My questions are to the Minister of Learning. Why is the minister allowing universities to proceed with differential tuition fee schemes when he knows or he should know that this will put careers in law, medicine, and business beyond the reach of most if not all students from low- and middle-income families in this province?

DR. OBERG: Because quite simply, Mr. Speaker, that is the law of this land, that was passed in this Legislature, that allows them to do that.

THE ACTING SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I thought the minister knew the law or should have better knowledge of the law. The law doesn't allow the university to increase tuition fees by 500 percent.

My second question to the minister: exactly how much debt does the minister think an aspiring doctor or lawyer can incur before students from modest backgrounds decide that entering these professions is just not worth the financial risk that it entails?

THE ACTING SPEAKER: The hon. Minister of Learning.

DR. OBERG: Well, thank you, Mr. Speaker. I will comment upon an ad that appeared in the newspaper probably about a week or two ago. What it had, quite simply, was that it would cost Emma, who was going through to become a doctor, about \$112,000 over her lifetime for her education over the eight years that were required. The interesting part is that the first year that person that graduated from school as an ophthalmologist, because she was going to cure blindness, would make between \$700,000 and \$800,000 per year.

2:20

Mr. Speaker, the other issue that I will say – and I will be tabling this today, actually, in a direct response to one of the written questions, but I'll comment on it if I may – was that the average student debt level of students who received assistance from the Students Finance Board in '95-96, which was five or six years ago, was \$11,604. In 2000-2001 it was \$12,620, an increase of \$1,000.

If I may, I'll just also comment on what it was in British Columbia, where tuition has been frozen for over five years. It was 33 percent more at 16 and a half thousand dollars.

THE ACTING SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Mr. Speaker, my second supplementary to the minister: would the minister explain why his differential tuition fee scheme would not scare students out of their minds to financially risk \$50,000 more in tuition fees alone to get a degree in law or medicine when the cost of this degree may well be more than their family's annual income?

DR. OBERG: Mr. Speaker, I'm absolutely delighted that the hon. member asked me that because I get the ability to expound on the virtues of our great student loan program. We have increased our student loan program by over 50 percent in the last three years. That enables students who can't afford to go to school to utilize our student loan program. On a four-year degree they can claim up to 10 and a half thousand dollars per year, of which they pay back \$5,000 and receive \$5,500 free. The key thing to remember in all of this discussion is that ordinary Albertans – the taxi drivers, the truck

drivers, the people in this Assembly – pay over 75 percent of a student's education.

THE ACTING SPEAKER: The hon. Member for Calgary-North Hill.

Refugee Claim

MR. MAGNUS: Thank you, Mr. Speaker. My questions today are for the Minister of Children's Services. We have learned about the case of a mother and her four daughters who have applied for refugee status in Canada, but their claim has been denied. If this Nigerian family is sent back to their homeland, it is likely that these girls will suffer FGM, feminine genital mutilation. They are now taking refuge in a Calgary church. Can the minister tell us whether her department will get involved in this case to ensure the safety and security of these children?

THE ACTING SPEAKER: The hon. Minister of Children's Services.

MS EVANS: Thank you, Mr. Speaker. I have been impressed by the number of overtures to my office on behalf of children and a mother that people perceive some very dreadful consequences would arise for should they return to Nigeria. The hon. Member for Calgary-North Hill asks me: what do we do? I should tell you that frequently children who are immigrants come to places like Calgary, come to Alberta, and Children's Services will intervene if we believe there are child protection issues, things that we can help with. I spoke this morning with a social worker in consultation about this particular issue, and she advised me that they were going to look into it, but we recognize and I should identify that immigration is a federal matter.

Our jurisdiction can be really questioned where federal issues are concerned, and my understanding is that this particular applicant may be back in court in December later, about December 10. So all I would say is that at this time we can look into the situation and see if there are child protection issues that relate to the four young women in question, and I understand that we're looking into those issues as we speak.

MR. MAGNUS: To the same minister, Mr. Speaker: can the minister tell us what other options her department has at their disposal in relation to this case?

MS EVANS: Mr. Speaker, on such an investigation we can find out if the children's basic needs are attended to, whether they need counseling, provision of food, other amenities to assure their safety. Now, in this case the mother is obviously a strong advocate for her children, but if she wishes to request that private guardianship be considered, she can look at some other options. It is as individual as the individual case. Although we're very concerned about the best interests of the children, it would appear to me as Children's Services minister that unless the mother is willing to relinquish the authority by which she looks after her own children to some government agency or somebody else, she is perfectly entitled to look after those children as she is so doing. But we are engaging in a review of the situation to just find out if there are child protection issues that exist.

THE ACTING SPEAKER: The hon. Member for Calgary-North Hill.

MR. MAGNUS: Thank you, Mr. Speaker. My second supplement-

tary will go to the minister responsible for immigration in Alberta, and it is the same as the second question to the Minister of Children's Services. Can that minister tell us what options his department may have at his disposal in relation to this case?

THE ACTING SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. Cases such as these are a federal matter. From a provincial point of view, we are not there to get actively involved in the case, but I will say that I have complete faith in the immigration minister, and for me to say that about a federal minister – I don't say that about many. But I will say that I have complete faith in the ministry of immigration, the minister of immigration, and I do feel that they will get to the bottom of this and ultimately do the right thing.

Alberta Productivity

MS CARLSON: Mr. Speaker, Alberta has a unique and volatile economy when compared to other jurisdictions. Employment variability is 4.8 times greater than in other provinces, relative income trends have dropped 10 percent over the last decade, and productivity is almost 25 percent lower when compared to the United States. My questions are to the Minister of Economic Development. What is the minister doing to enhance Alberta's productivity?

MR. NORRIS: Well, clearly, Mr. Speaker, productivity in Alberta outweighs any other province in Canada, so the question would have to be taken on a different tack. I think that where we would examine it is in our federal taxation system, which punishes people who want to earn more money and rewards people who want to stay in the middle levels, which has driven down productivity throughout the nation. For us to address that issue on a province-by-province basis seems not only counter-productive but not necessary in Alberta, where we have the highest level of income per capita in all of Canada.

MS CARLSON: Mr. Speaker, he is still not the brightest cookie in the jar, because the right answer is education. Why isn't the minister working aggressively to increase investment in both postsecondary and K to 12 education? That's where the solutions will come from.

MR. NORRIS: With all due respect, Mr. Speaker, all I heard was something about a cookie jar, and I'm not sure how that relates to Economic Development. Could the hon. member ask the question again?

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I'll put the next two questions together. Why aren't you aggressively pursuing investment in both postsecondary and K to 12 education? That's where the solutions arise. And when will you start to work on continuous professional development and certification in this province? Those are the serious problems that are causing our productivity problems.

MR. NORRIS: Well, I would like to thank the hon. member for the question because I think we agree 100 percent on what you're talking about, if I understand it correctly. Indeed, the Alberta government has done that, and through the Department of Learning we have increased spaces to postsecondary education in SAIT and

NAIT, some 2,200 students. We now have programs that bypass the apprenticeship program for high school students who want to go directly into an apprenticeship program and directly to trades. Certainly, with my colleague in the department of aboriginal affairs we have addressed that issue through the high school which used to be the municipal airport to encourage aboriginal youth to continue with their studies.

So I think it should be abundantly clear to the member that although government doesn't have all the answers to the problems in every economy, we certainly are addressing them not only with extra positions but with extra money and extra commitment, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

2:30

Tourism Industry

MR. HORNER: Thank you, Mr. Speaker. Tourism is one of the pillars of the Alberta economy, worth almost \$4.8 billion to the provincial GDP last year. It is critical to the economic development of every community in this province from our mountain parks to our large urban centres and every rural municipality. The government has said that it wants to grow tourism into a \$6 billion industry by 2005, yet Alberta continues to lose market share due to Alberta's diminished marketing efforts and increased competition from other jurisdictions. My questions are to the hon. Minister of Economic Development. Some time ago an MLA committee was established to look at how we could grow this industry. That committee reported to you almost a year ago. Can the minister tell the House the status of this report?

MR. NORRIS: Well, I'd like to thank the hon. member for the question. At the very outset I want to thank the member for his question and for his involvement on that committee.

AN HON. MEMBER: What's the answer?

MR. NORRIS: Oh, I'll get to the answer, but it's such a wonderful topic, I could go on all afternoon, hon. member. I would be delighted . . . [interjections]

THE ACTING SPEAKER: Hon. members, please respond through the chair.

MR. NORRIS: Mr. Speaker, I was attempting to, but they seemed so enthralled with my answer.

Clearly, tourism is vital to the province. We have been blessed with an abundance of glorious tourism opportunities, and under my department and in conjunction with the Minister of Agriculture, Food and Rural Development we've been looking at ways to tie in tourism to all methods of economic development. This is clearly a vital one. In Alberta right now the tourism industry employs over a hundred thousand people, generates about 4 and a half billion dollars in revenues, and kicks back about \$600 million in taxes to this government. So we are focusing on it as a vital industry. Mr. Hutton, the hon. Member for Edmonton-Glenora, chaired the committee, among others.

THE ACTING SPEAKER: Hon. member, there is a tradition in this Assembly not to refer to members by their names. They are referred to by the constituency they serve. Please be guided by that practice.

The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Speaker. I'm not sure that I got the answer to my first question, but we'll plow on.

Can the minister confirm that one of the key recommendations of the report is to link the hotel tax to tourism marketing and development activities?

THE ACTING SPEAKER: The hon. Minister of Economic Development.

MR. NORRIS: Thank you, Mr. Speaker. May I also echo my learned colleague the Minister of Energy and say what a delight it is to see your smiling face in the chair today, and I take your advice to heart.

The answer to your question is yes. One of the key recommendations, made by the hon. Member for Edmonton-Glenora, was that we look at having long-term and sustainable funding for the tourism industry, and that was deemed to be best done through linking it to the hotel tax, which generates about \$45 million. Ironically, Mr. Speaker, that's about the amount of money that our nearest and best competitor, British Columbia, spends, so it would put us right back into competition with them and regain those lost tourism dollars.

THE ACTING SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Speaker. My final question to the same minister is: will the minister be moving on this recommendation soon, and if so, when?

MR. NORRIS: The answer to the hon. member's question is that through our process of government, which is an outstanding one, Mr. Speaker, it has gone through all levels of debate. It has been rigorously debated at every step of the way and has been refined to be what I think is one of the finest programs in all of Canada, if not North America, if implemented. At this point it is waiting for final approval at the last level of our government, which is made up of hon. members of the Treasury Board. When and if I get an answer, I will be delighted to give it to the House and to the hon. member.

head: **Members' Statements**

THE ACTING SPEAKER: The hon. Member for Calgary-Currie.

75th Anniversary of CKUA

MR. LORD: Thank you, Mr. Speaker. Today I rise to offer my congratulations to the staff and supporters of CKUA Radio on the occasion of their 75th birthday this year. This is an amazing but true Alberta and Canadian success story: the incredible little radio station that could and did, the station that has and continues to confound critics and skeptics, outlived almost all its peers, the oldest and the first listener-supported broadcasting station in Canada, older even than the CBC, and Canada's first educational broadcaster as well.

Mr. Speaker, I wanted to mention some things people may not know about CKUA beyond its tumultuous recent history. For example, CKUA has put more than 500 audio features about Alberta history free on-line for our children as well as contributed hundreds of hours of its award-winning environmental program *EcoFile*. CKUA is virtually the only public broadcaster in North America that actually is entirely self-sustaining. CKUA does not seek handouts; instead, they raise more than \$2 million annually through the voluntary – and, I might add, enthusiastic – contributions of its listeners. This is unprecedented in broadcasting in this nation.

CKUA is also host broadcaster for Alberta's emergency public warning system and the recently announced Amber Alert system. CKUA engineers designed, installed, and maintain the many transmitters of this internationally acclaimed and important public safety system.

Speaking of international acclaim, I should mention that CKUA is now going to be broadcasting worldwide, spreading goodwill from Alberta all day, every day through the technology of the Internet.

To sum up, Mr. Speaker, for 75 years CKUA has been a companion, a teacher, a mentor, a broadcaster, a cultural icon, and an example of what intelligent, quality broadcasting can be like in this country. We should all be extremely proud of CKUA's contributions and its remarkable and illustrious history in this province.

International Day of Disabled Persons

MR. LOUGHEED: Mr. Speaker, I rise to recognize the International Day of Disabled Persons, December 3, which was proclaimed by the General Assembly of the United Nations in 1992. This day aims to increase awareness and understanding of persons with disabilities and the issues that impact their lives with an additional goal of getting support for practical action at all levels by, with, and for persons with disabilities.

In Alberta we are recognizing this day in a number of ways. This morning the Premier's Council on the Status of Persons with Disabilities, which I have the privilege to chair, released our Alberta disability strategy. This independent report makes suggestions to the provincial government on ways we can support the full and equal participation of the half million Albertans with disabilities.

At noon today the council partnered with the Alberta Disabilities Forum and the city of Edmonton to stage a recognition event at city hall. An information bulletin was issued to create awareness of the day.

The Alberta government currently spends, Mr. Speaker, about \$1.7 billion annually on programs and services for the disabled community across 11 ministries. Examples include the persons with developmental disabilities program in Community Development, the disability-related employment supports program in Human Resources, the resources to the children with disabilities program in Children's Services, and the programs for schoolchildren with special needs offered by Learning.

The Alberta government is committed to providing supports to persons with disabilities so that they can live, earn, work, and participate in our communities. On this special day I encourage all Albertans to think about ways they can include and support persons with disabilities in the life of this province.

Thank you.

THE ACTING SPEAKER: The hon. Member for Red Deer-North.

International Volunteer Day

MRS. JABLONSKI: Thank you. Mr. Speaker, Mahatma Gandhi said that "the best way to find yourself is to lose yourself in the service of others." On December 5 we will recognize International Volunteer Day. On this day each year the world pauses to reflect on the work that volunteers do. From teaching a child to read to bringing meals to the elderly, volunteers touch many lives every day.

This week our Premier along with the Minister of Community Development and the Wild Rose Foundation will honour six outstanding Alberta volunteers with a stars of the millennium volunteer achievement award in the category of youth, adult, or senior. They will also be inducted into Alberta's own volunteer wall of fame that was created as a tribute to volunteers and as a lasting

legacy to the International Year of Volunteers in 2001.

Each one of us knows a volunteer. In fact, we probably know many. These are good people doing great things. About 70 percent of adult Albertans volunteer for an average of 15 hours per month donating their time, skills, or talents to help others. Please let them know how much their service means to your community. Can you imagine a community without a hockey, ringette, or soccer coach, a community without a Festival of Trees, a community without a July 1 or a New Year's Eve celebration, a community without Boy Scouts or Girl Guides, or a community without mentors?

The work that volunteers do is invaluable. Volunteers are the backbone of our communities and valued partners who contribute so much. I ask all members of this Assembly to recognize our Alberta volunteers and to show them our deep appreciation whenever and wherever we can.

Thank you.

2:40 Allegations of Interference in Justice System

MS BLAKEMAN: In the fall of 1999 charges of assault causing bodily harm were dropped against the son of the current Solicitor General. The court transcripts from a later court martial on the same incident indicate that the then MLA for Calgary-Fish Creek attempted to compel a key witness, the victim, not to testify against her son. To put the timing in context, this contact took place after six months of almost daily media coverage of another member of cabinet, the former Treasurer, for involving himself in the process of justice, and that ended up costing Alberta taxpayers over \$800,000 for that member's inability to understand that he is not above the law. The current Solicitor General could not have been unaware of the consequences of such behaviour.

A number of issues arise from this. The Solicitor General must offer her resignation immediately, and the Premier must accept it. If the allegations are true, it is totally unacceptable that an individual who shows such a limited grasp of the process of justice should be one of the top two people responsible for the access to and administration of justice in this province. [interjections]

THE ACTING SPEAKER: Hon. members, this is the time for Members' Statements. The chair has recognized the hon. Member for Edmonton-Centre.

MS BLAKEMAN: To believe it is acceptable to interfere with a witness subverts the entire process the Solicitor General is supposed to uphold. Stakeholders such as the RCMP, police chiefs, and lawyers have spoken on the record, stating their deep concern over the Solicitor General's actions and their belief that the minister should resign.

I have lost faith in this government's ability to recognize the seriousness of this situation. Instead of the "we're looking into it" brush-off, I think we now need to bring in an investigator from outside of the province. This gets us around the difficulty of which cop in Alberta could investigate the top cop, especially when they're still in charge. You see, justice must not only be done; it must be seen to be done.

head: Presenting Petitions

THE ACTING SPEAKER: Hon. Member for Edmonton-Riverview, did you have a petition?

DR. TAFT: Yes. Thank you, Mr. Speaker. I rise today to table a

petition that I tabled incorrectly yesterday. It's now in order, and it expresses concern over abortion as an insured service.

Thank you.

THE ACTING SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I've got two petitions for tabling today. The first petition is signed by 45 small businessmen and -women. They are owners of bed-and-breakfast places or restaurants, and they are urging the government of Alberta to repeal the amendment to the Public Health Act regulation approved by Executive Council on June 25, 2002; and . . . undertake thorough consultation with small business, the food industry and consumers before imposing any fee or tax to pay for health inspections.

My second petition, Mr. Speaker, that I want to table is signed by 74 Albertans, and it requests the Legislative Assembly to urge the Government of Alberta "to support the establishment of Bighorn Country as a legislated protected area."

Thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I have two petitions today. First of all, I'm presenting a petition signed by 50 small businesspeople urging the government of Alberta to repeal the amendment to the Public Health Act regulation approved by Executive Council on June 25, 2002; and . . . undertake thorough consultation with small business, the food industry and consumers before imposing any fee or tax to pay for health inspections.

The second petition, Mr. Speaker, is signed by 69 Albertans, and it petitions the Legislative Assembly to urge the government of Alberta "to support the establishment of Bighorn Country as a legislated protected area."

head: Notices of Motions

THE ACTING SPEAKER: The Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. It's my pleasure to provide oral notice today of the following motion.

Be it resolved that when the Assembly adjourns to recess the fall sitting of the Second Session of the 25th Legislature, it shall stand adjourned until a time and date as determined by the Speaker after consultation with the Lieutenant Governor in Council.

head: Tabling Returns and Reports

THE CLERK: Mr. Speaker, pursuant to Standing Order 37.1(2) I wish to advise the House that the following documents were deposited with the office of the Clerk. By hon. Mr. Mar responses to questions raised to the hon. Mr. Mar, the Minister of Health and Wellness, during Oral Question Period on November 28, 2002, by Mr. Mason, the hon. Member for Edmonton-Highlands; by the hon. Dr. Oberg pursuant to the Teaching Profession Act the Alberta Teachers' Association 2001 annual report; pursuant to the Apprenticeship and Industry Training Act the Alberta Apprenticeship and Industry Training Board 2001-2002 annual report; pursuant to the Advanced Education Foundations Act, the University of Alberta 1991 Foundation financial statements for the period ended November 7, 2000; Public Colleges Foundation of Alberta financial statements, March 31, 1999; Non-profit Private Colleges Foundation financial statements, March 31, 1997; the Arctic Institute of North

America financial statements, March 31, 2001; Olympic Oval/Anneau Olympique statements, March 31, 1999; Olympic Oval/Anneau Olympique statements, March 31, 2000; Olympic Oval/Anneau Olympique financial statements, March 31, 2001.

THE ACTING SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. I rise today for two tablings. The first tabling is in direct representation from what was stated in question period, and it is a 2002 interest arbitration between Edmonton public school board No. 7 and the Alberta Teachers' Association, which states:

(q) School boards can accommodate higher salaries and benefits by adjusting instructional hours or class sizes . . . Accordingly, there can be no argument about their ability to pay for the increases being sought by the ATA.

In summary, the ATA is seeking end rate grid adjustments of between 18% and 20%.

That's the ATA's submission.

AN HON. MEMBER: Who said that?

DR. OBERG: It's the ATA's submission.

The second tabling, Mr. Speaker, is the answer to Written Question 7, which shows that the debt load of postsecondary students who receive assistance from the Students Finance Board was \$12,620 in the year 2000-2001.

THE ACTING SPEAKER: The hon. Member for Edmonton-Beverly-Clareview.

MR. YANKOWSKY: Thank you, Mr. Speaker. I rise to table 156 names of residents of the constituency that I am honoured to represent, the constituency of Edmonton-Beverly-Clareview. The signatories are requesting the government to remove abortion from the list of insured services that are being paid for through Alberta Health. They express concern that Alberta pays for 10,000 abortions per year, the majority of which are done for convenience sake, many followed by serious physical and mental consequences costing the government even more.

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I have a series of tablings. The first is from James Sexsmith, who is very concerned about where the Premier is going on his policy decisions to, as he says it, "deprive senior citizens of comfortable and worry free living."

Also, I have one from Rhonda Tanton, the executive director of Skate Canada, who is expressing her concern with the proposed revisions to the Alberta Gaming and Liquor Commission's eligibility for gaming licences and use of gaming proceeds policies.

Sherry Banack is very concerned about the funding cap for grade 10 students.

D. Simmons wrote a letter in support of Kyoto.

The Bell family are very concerned about education funding.

Dennis Turner is very concerned about the use of cell phones in cars.

Dave Majeau is very concerned about the spring closure for fishing season.

The Alberta chapter of the Wildlife Society is looking at the field of wildlife management that's been removed from the provincial

wildlife management division, and it has concerns about those.

Thank you, Mr. Speaker.

2:50

THE ACTING SPEAKER: The hon. Member for Edmonton-Manning.

MR. VANDERMEER: Thank you, Mr. Speaker. I rise today to table five copies of a petition signed by members of my constituency, Edmonton-Manning, urging the government to deinsure funding for abortions.

Thank you.

THE ACTING SPEAKER: The hon. Member for Little Bow.

MR. McFARLAND: Thank you, Mr. Speaker. I rise to table petitions bearing 323 names mostly from constituents in Vulcan, Champion, Arrowwood, Milo, Lomond, Picture Butte, Carmangay, and Barons. These people say they are clients of the Headwaters health authority and ask that the boundaries remain the same.

MR. LOUGHEED: Mr. Speaker, it's my pleasure on behalf of the hon. Minister of Community Development to table the appropriate number of copies of the information bulletin he released earlier today recognizing the International Day of Disabled Persons.

I'm also pleased to table as chair of the Premier's Council on the Status of Persons with Disabilities five copies of the Alberta Disability Strategy. The strategy has two parts: a summary document and a second, companion document to provide supplementary information.

THE ACTING SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I am tabling the appropriate number of a set of questions, which is a letter from the Minister of Seniors to myself stating that the private landlord rent supplement program is in operation – in fact, it had an increase in funding – and a report accompanying it from me stating that I've contacted the Calgary Housing Company, Capital Region Housing, Lethbridge Housing, and Red Deer Housing, and they state that the program has been on hold due to lack of funding since October 2001.

Thank you.

THE ACTING SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I've got two tablings today, two letters that I received, the first one from my own constituents. They are the seniors who are residents of Pleasantview Place seniors' lodge. These low-income seniors are very concerned and want me to express their concern to the Assembly and to the government with respect to the \$40 increase in their monthly rental charges and also additional service charges that have since been increased. These increases are effective January 1, 2003, and they are asking the provincial government to assist them in covering those increases.

The second letter, Mr. Speaker, is a letter that I received from the Canadian Mental Health Association. It is dated November 7. It's a letter from Bob Campbell, president and chair of the Alberta division of the Canadian Mental Health Association. The association is requesting that suicide prevention services be integrated under the regional health authorities.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I have a number of tablings this afternoon. The first is a letter and power bill from a rural Albertan. Doreen Loney* writes: "We can't afford \$500 for electricity. This last bill we received last week. We are trying to pay it off at approx. \$250/month. Needless to say Christmas is spoiled. You are scared to put on Xmas lights."

The second one is a letter faxed to us by a Mr. Lee* in Edmonton, who says: we have certainly not noticed a reduction in our electricity bill.

The next tabling, Mr. Speaker, is a letter and power bills from a Bonnyville business owner. He writes a letter that states in part that "deregulation was the most stupid thing our politicians ever concocted."

The next tabling, Mr. Speaker, is a bill from Wandering River with a letter attached to his MLA for Athabasca-Wabasca. This writer indicates how "discouraging and financially frustrating this is for our family."

The next one, Mr. Speaker, is a bill from Sherwood Park. This particular letter asks a number of questions about why their power bill is so high. They raise five separate questions in this one, and they've attached their utility bill from Enmax.

This next tabling, Mr. Speaker, is a letter and bills from a town councillor in Athabasca stating that the town's power bills have increased over 170 K, and this means "cutting back on services to seniors, youth, recreation . . ."

THE ACTING SPEAKER: Hon. member, this is a time for tabling, not reading.

MR. MASON: Thank you, Mr. Speaker. I understand that we're allowed to extract a few comments.

This is a fax that we've received, Mr. Speaker, which I'm now tabling, dealing with a copy of an EPCOR bill. The person writing claims, "We are being robbed."

The next tabling, Mr. Speaker, is some bills from Spruce Grove, and it includes a letter which states: "Absolutely nothing has changed from last year . . . in the way of additional occupants or appliances . . . My belief is that we are plain and simply being totally ripped off."

The next tabling, Mr. Speaker, is a letter to the government strongly urging the Alberta government to abandon the deregulation of utilities.

The next one, Mr. Speaker, is a fax to the New Democratic Party from Lamont outlining their concerns with power.

The next tabling, Mr. Speaker, is from Wes and Amy Bogdane, and they say that their bill has doubled in one month, "This is outrageous," and thanking the New Democrats for speaking for the people.

The next one, Mr. Speaker, is a letter from a pensioner living on a fixed income who wonders how she can budget with the increase.

The next one, Mr. Speaker, is a letter from a single mother who says, "I cannot afford to pay it."

The next tabling . . .

THE ACTING SPEAKER: Hon. member, how many more tablings do you have?

MR. MASON: I'm about halfway through, Mr. Speaker.

THE ACTING SPEAKER: Are these all pertaining to electric bills?

MR. MASON: Yes, sir.

THE ACTING SPEAKER: They could be tabled to the Assembly, and for members who wish to read them, they can be circulated to them, if they are for the same subject.

MR. MASON: With respect, Mr. Speaker, each person has taken individual time to write to us, so if I can continue.

Mr. Speaker, this one is from St. Albert.

REV. ABBOTT: Point of order, Mr. Speaker. These are exhibits. This is supposed to be . . .

THE ACTING SPEAKER: Hon. Member for Drayton Valley-Calmar, you are not being recognized. The hon. Member for Edmonton-Highlands has the floor.

MR. MASON: Mr. Speaker, we have made five copies of each one, and we'll be tabling them as per the rules of the Assembly.

This is a letter with some bills attached from St. Albert which says: "If you can figure it out please let me know. If power deregulation works this way I am not impressed."

THE ACTING SPEAKER: Hon. Member for Edmonton-Highlands, I just want to caution you that tabling is appropriate. However, it has to follow with a very, very brief statement.

MR. MASON: Thank you, Mr. Speaker. I'll endeavour to keep it to one sentence.

This is a letter from someone in Edmonton who asks why consumers will have to pick up another shortfall and: can someone stop hiding these shortfalls in our bills?

Mr. Speaker, this is from the village of Lougheed, and this is a comment that says that for 16 years the annual billing was \$566.09. Now from January to November their bills totaled \$1,212.63.

The next tabling, Mr. Speaker, is an EPCOR bill which shows . . .

THE ACTING SPEAKER: Hon. member, I have just been advised that the brief statement you make should reflect on the subject matter and that quoting from the letter is not appropriate. Please be guided by that advice.

MR. MASON: Thank you, Mr. Speaker. This is indeed a new departure for tablings.

This EPCOR bill shows a 66 percent increase from 1999.

This bill has a graph that shows an increase from \$92.34 to \$134.27 over four years.

This is a letter from someone in Vimy, Alberta, and this person is protesting his billing.

Here is a letter and a bill from someone in St. Albert. Their power bill has doubled.

Here's another one. I believe this is from Edmonton. This bill is for a one-bedroom apartment, and the person is concerned about why the bills are so high.

3:00

Mr. Speaker, here's another tabling, and this is from a senior in Fort Saskatchewan. The bills here have gone from \$35 to \$45 to \$105 and \$101 and have more than doubled.

Mr. Speaker, this is a bill from someone in Edmonton who has no comment other than to say that their bill is now \$257.52.

This is a bill and a letter from a couple in Wetaskiwin, and they have attached bills here from EPCOR, from TransAlta, and from

*These spellings could not be verified at the time of publication.

UtiliCorp. They are very concerned that the amount they're paying is steadily increasing.

Mr. Speaker, here's a bill from Edmonton for \$190.88. The shortfall charges are \$15.95, the deferral rider is \$9.13, and the local access fee is \$4.17.

I'd like to rise to table this bill, which is from rural Edmonton, and it is \$136 for one month.

DR. OBERG: Where is rural Edmonton?

MR. MASON: I used to represent it, hon. minister. There's a large portion of Edmonton that is actually rural. I represented on city council more farmland than many rural MLAs, and I did it well, I might add.

Mr. Speaker, here is an EPCOR bill for \$251.05.

THE ACTING SPEAKER: Hon. member, if all those tablings that you have reflect energy bills, the chair requests you to table them together as X number of copies or X number of letters on a subject matter that you are presenting to the Assembly.

MR. MASON: Thank you, Mr. Speaker. I will defer these and many others for tomorrow's sitting.

Thank you.

THE ACTING SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I only have two tablings today. One is the appropriate number of copies of a letter I delivered earlier this afternoon to the Minister of Human Resources and Employment requesting the release of the stop-work order on the Holy Cross asbestos incident.

The other is an article explaining in dramatic detail a number of problems with the Australian parallel private health care system.

Thank you.

THE ACTING SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. With permission I would table five copies of a petition from 253 people protesting overcrowded classes at Summitview school in Grande Cache. Currently, the grade 6 classes have 35 students, and the grade 8 classes have 38.

I'd also table a letter from Shauna-Lee Williamson protesting the cutbacks made to services for developmentally disabled adults.

I'd also table five copies of a letter from Pamela Head, with enclosed statements of water and power charges, protesting the high cost of deregulation.

I'd table five copies of a letter from Jon Head, with an enclosed article from the *Edmonton Journal*, expressing outrage at the high cost of electricity deregulation.

I'd table five copies of a petition from 98 Albertans requesting a change to the motor vehicles act so that registries can no longer charge for changing a client's address.

Thank you.

THE ACTING SPEAKER: Hon. members, pursuant to section 28(1) of the Ombudsman Act I am pleased to table with the Assembly the 35th annual report of the office of the Ombudsman for the period April 1, 2001, to March 31, 2002, and the financial statements of the office of the Ombudsman for the period April 1, 2001, to March 31, 2002.

MR. MARZ: I have one tabling today, Mr. Speaker. It's 17 letters and the appropriate number of copies of each letter from the communities of Acme, Elnora, and Linden, and they're all expressing their objections to tax-funded abortions.

THE ACTING SPEAKER: Hon. members, may we briefly revert to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

(*reversion*)

MR. OUELLETTE: Mr. Speaker, it's with great honour that I rise here to introduce a large group of students from Fox Run school in Sylvan Lake. I see now that they have left. They couldn't wait, with the great number of tablings we had. Anyway, there were 105 students in the gallery, and they were brought together with 21 parents, helpers, teachers, and student teachers. The teachers and student teachers were Mrs. Karen Adair, Ms Robin Irvine, Mr. John Fielder, Mr. Justin Bander, Mrs. Connie Kwantes, Miss Jenny Fletcher, Miss Amanda Cunningham, Mrs. Jill Shipton, and Mrs. Edith Denning. The parents and helpers were Mrs. Duffy, Mrs. Campbell, Mrs. Anderson, Mrs. Wonenberg, Mrs. Engle, Mr. Breit, Mr. Lapointe, Mrs. Mays, Mrs. Braitenback, Mrs. Carreau, Mrs. Mattson, and Mrs. Ferguson. They belong to a school that's a shared facility. It's a brand-new facility that just opened two to three years ago, just a superb facility, and it's a shared one.

Thank you.

THE ACTING SPEAKER: Hon. members, the hon. Member for Highwood, our Deputy Speaker, has a special presentation to make today.

Page Recognition

MR. TANNAS: Thank you, Mr. Speaker. All hon. members each day of the session are served by the tireless efforts of our pages. It is my honour and pleasure on behalf of all the members of this Assembly to give each page a small Christmas gift to say thank you and to wish each and every one a Merry Christmas. I'd ask our head page, Nicholas Fowler, to distribute these gifts for us. On behalf of the members we wish you all a Merry Christmas and a Happy New Year.

THE ACTING SPEAKER: We have some points of order.

The first point of order is from the hon. Member for Edmonton-Highlands.

Point of Order Relevance

MR. MASON: Thank you very much, Mr. Speaker. In his question to the Minister of Energy the hon. Member for Little Bow raised in his preamble positions and comments related to the New Democrat opposition, and in *Beauchesne* 409, in particular, it is clear that questions must be with respect to government policy. While I appreciate him asking the minister about the policy of Alberta's New Democrats on energy, it is not in order.

MR. HANCOCK: Well, Mr. Speaker, it's quite normal, albeit sometimes improper, for members to raise lengthy preambles with respect to questions that they raise in the House. Often members of the opposition, including members of the third party, including the member who raises this particular objection, in their preamble to the

question set the context of the question by, in their case, inappropriately paraphrasing what their version of government policy is. I listened intently to the question that was asked by the hon. Member for Little Bow, and he was clearly putting an appropriate context around his question and, in doing so, referred to policies raised in the House by other members of the House in framing his question. If anything, he was more polite and more accurate than preambles that have been raised by the opposition in the context of their questions.

3:10

THE ACTING SPEAKER: The chair has just referred to the Blues. The hon. Member for Little Bow began by saying, "Last week we heard the NDs tell us that EPCOR wasn't to blame for anything," and then proceeded with the rest of the question. The chair just wishes to caution everyone that the purpose of Oral Question Period is to ask questions of government policy and not of other parties' policies. That's the intent of question period. I hope that clarifies this position.

Point of Order
Explanation of Speaker's Ruling

MR. MASON: Mr. Speaker, I have a second point of order, and that is consistent with Standing Order 13(2), which says, "The Speaker shall explain the reasons for any decision upon the request of a member." I would respectfully request that the ruling that was made that one may not quote from documents being tabled – I would appreciate it if citations could be provided for that or if that ruling could be explained.

Thank you.

THE ACTING SPEAKER: The hon. member has a valid citation. The chair received advice from table officers, and I certainly will request that a statement be made with appropriate references to that matter. Thank you.

The hon. Minister of Justice and Attorney General.

MR. HANCOCK: No, Mr. Speaker. I waive that point of order.

THE ACTING SPEAKER: The hon. Member for Drayton Valley-Calmar.

Point of Order
Abusive Language

REV. ABBOTT: Thank you, Mr. Speaker. I have two points of order today. First of all, the first one that I stood up on was Standing Order 23(j), abusive or insulting language. I think that if you look at the videotape and listen to the recording of the proceedings today, you'll hear the hon. leader of the third party tell me to shut up. He was sitting there, and he said it. I'll tell you something. We try to teach our kids not to use this word, and I'm very offended, because my kids could have been sitting at home watching this on TV. They could have heard him say that. I want an apology for that. That's my first point of order.

THE ACTING SPEAKER: We'll deal with one point of order at a time.

The hon. Member for Edmonton-Highlands on the point of order.

MR. MASON: Well, thank you very much, Mr. Speaker. I was sitting right next to the hon. Member for Edmonton-Strathcona. I did not hear him say that, but I will have an opportunity to discuss it with him. I'm sure that if the hon. member did in fact say that, he will have no hesitation about apologizing.

THE ACTING SPEAKER: The chair hasn't had the opportunity to look at the Blues. The chair requests the hon. Member for Edmonton-Highlands to please review the Blues, and if such a comment was made, as the hon. Member for Edmonton-Highlands said, it will be withdrawn. We shall deal with that matter once we have had a chance to look at the Blues.

The hon. Member for Drayton Valley-Calmar on another point of order.

REV. ABBOTT: Thank you for that ruling, Mr. Speaker. I do have a lot of respect for the hon. leader of the third party, and I wouldn't want anything to cause me to lose that respect.

Point of Order
Exhibits

REV. ABBOTT: My second point of order is on the hon. Member for Edmonton-Highlands. It's *Beauchesne* 501 to 504. It says that exhibits are not allowed. He was clearly using these EPCOR power bills as exhibits. He was not using them as tablings. Mr. Speaker, I think they should all be ruled out of order, and they should not be submitted to the annals of the Legislature.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands on the point of order.

MR. MASON: Well, Mr. Speaker, if you look at the sections in *Beauchesne* under Exhibits, section 501 refers to things like boxes of cereal, detergent, and milk powder. It refers to potatoes. It refers to things which are not documents.

Now, we are entitled by the rules of this House to table documents. That's what the section in our Order Paper is, and I would submit to you, Mr. Speaker, that tabling documents, including perhaps large numbers of documents, is a tradition that goes back in parliamentary democracy in this country many, many years. I would submit that the hon. member has absolutely no point of order whatsoever and would ask that you would so rule.

THE ACTING SPEAKER: The chair was looking attentively at the Member for Edmonton-Highlands at the time those tablings were made, and the chair did not, in the chair's opinion, feel that they were being used as exhibits. They were documents that the hon. member was presenting, and he was referring to them as he was making his presentation. So clearly I do not see a point of order.

head: **Orders of the Day**

head: **Government Bills and Orders**
Third Reading

Bill 25

Alberta Corporate Tax Amendment Act, 2002

THE ACTING SPEAKER: The hon. Minister of Revenue.

MR. MELCHIN: Thank you, Mr. Speaker. I'd like to move third reading of Bill 25, the Alberta Corporate Tax Amendment Act, 2002.

As we've discussed, this bill will enact the second phase of the reduction of the corporate income tax rates in Alberta and will parallel recent changes made in the federal tax act. These changes are necessary to ensure that businesses in Alberta continue to operate in a tax environment that allows for increased economic activity, growth, and employment opportunities so that they might increase for everybody.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. In the final reading of this bill we continue to have some concerns. This is a province where the government prides itself on bringing down the tax rates, but at the same time they significantly increase user fees and reduce other kinds of social benefits for people in need. This particular government has a problem keeping its promises, including this one to lower taxes, because the tax rates are being lowered less than what they had committed to. So we will continue to watch and monitor how the government proceeds in these matters, but we believe that it is time for them to clearly put a focus on quality-of-life issues rather than the race to the bottom.

[The Deputy Speaker in the chair]

[Motion carried; Bill 25 read a third time]

Bill 38

Miscellaneous Statutes Amendment Act, 2002 (No. 2)

THE DEPUTY SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I'm pleased to move Bill 38, Miscellaneous Statutes Amendment Act, 2002 (No. 2).

As has previously been mentioned, I'm sure, at previous stages, the miscellaneous statutes is an act which allows the introduction of various amendments to various acts where corrections needed to be made or where changes are being made that are not of a significant policy nature and are only included in the bill if opposition parties agree.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. We have an agreement in this House not to speak to miscellaneous statutes because the arrangements are supposed to have been made beforehand in terms of ironing out any concerns that people have. However, it was brought to my attention by the Member for Edmonton-Gold Bar that, in fact, he hadn't been in contact with three of the ministries that were involved with changes to miscellaneous statutes in this particular bill. So I would ask that in the future when these bills come before us, in fact ministers do try to contact the critic for the area so that this can be a smooth process.

Thank you.

3:20

THE DEPUTY SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Yes, and an unusual opportunity to close debate, Mr. Speaker. It should be readily known by members of the House that the process with respect to miscellaneous statutes acts is that the Government House Leader sends a copy of the proposed miscellaneous statutes act to both opposition parties well before it's introduced in the House and gets the agreement from the parties on that package before it's introduced in the House. So I am given a bit of pause by the comments made today on the record, and I just wanted to clarify for the record that the usual process of the Government House Leader to the opposition House leaders was followed in this case.

[Motion carried; Bill 38 read a third time]

Bill 35

Teachers' Pension Plans Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. I rise today to move third reading of Bill 35.

This is a bill that allows for the onetime only payment of \$35 million in recognition of the good-faith agreement that was signed with the Alberta Teachers' Association this spring. This bill will allow the \$35 million to be paid as the first installment of this, and there will be a further \$25 million paid as the second installment.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. We're delighted to support it, and we are willing to support the government in their efforts to resolve the disputes with teachers. Hopefully, this will be part of a better future in terms of relationships between the government and the teachers, so we're happy to support it.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I'm pleased to rise to speak to third reading of Bill 35, the Teachers' Pension Plans Amendment Act. I want to recognize the long and difficult struggle of the teachers in the strike that we had. Notwithstanding that in some cases the government did not always treat the teachers as the teachers would have liked to have been treated, this represents a significant step towards healing that dispute and, quite frankly, represents a significant victory for the teachers with respect to that struggle.

Thank you.

THE DEPUTY SPEAKER: The hon. Minister of Learning to close debate.

DR. OBERG: Thank you very much, Mr. Speaker. Quite simply, I'll rise to close debate. This bill allows for \$60 million, roughly a little under \$2,000 per teacher, to be paid to them as per our good-faith agreement of this spring.

[Motion carried; Bill 35 read a third time]

Bill 33

North Red Deer Water Authorization Act

DR. TAYLOR: I'm very pleased to move third reading of Bill 33.

This is a bill that was necessary because of the requests of various communities in central Alberta, and I think as we go forward, people will see that it has been a worthwhile activity to have this bill passed in the House.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I'm happy to support Bill 33 at third reading. This bill passed through committee so quickly that I didn't have an opportunity to make some of the closing remarks that I wished to at that time, so I will make them now.

The Member for Lacombe-Stettler asked me if I had received

submissions from the towns, the Samson Cree Nation, and various directly affected communities with regard to this bill. We did, Mr. Speaker, and we received those submissions in a timely fashion. So I thank her for recommending to the various locales that we should be included in this particular discussion. It certainly helped in clarifying the issue for us and identifying the user groups and who, in fact, would be directly affected and how they would be directly affected. So the letters of support came from the new group, the North Red Deer River Water Users Group, being the town of Blackfalds, the town of Ponoka, Ponoka county, Samson Cree Nation, Louis Bull Cree Nation, town of Lacombe, Lacombe county, Montana First Nation, and Ermineskin Cree Nation. We thank them for that. It does, I believe, always make the process a lot more streamlined in here when there is co-operation with information from all sides, and that certainly happened.

We had anticipated bringing forward an amendment in committee, Mr. Speaker, that never got brought forward to address the concern we had, which was strengthening the fences around this particular legislation, so I am going to put the wording of that on the floor just for information. I won't be tabling it or anything else. We had asked that after section 1 the licence to be issued under section 1 of this act be issued exclusively to the city of Red Deer, which is responsible for providing water to other parties under the licence. That was not to exclude other communities but to control the management of the process a little more, as we expect that over time this issue will occur more frequently and, perhaps, not with the same kind of good co-operation and with a greater effect on the waterways.

So we want to just be on the record that we will continue to monitor these kinds of situations very closely, Mr. Speaker, but certainly in this particular instance we fully support Bill 33.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. Well, I also will rise on third reading to speak to the North Red Deer Water Authorization Act, Bill 33. We have raised concerns and continue to have ongoing concerns about anything that might seem to be a transfer of water between the basins of two rivers. In this particular case . . .

MRS. McCLELLAN: Why?

MR. MASON: Well, the hon. member wants to know why. There are two reasons. First of all, the ecological reason, and I'm not saying that it applies in this case, because she didn't let me finish. There are real risks that the actual ecosystem – the actual plant, animal, fish life in rivers – is different between one basin and another. It can have the effect of disrupting the ecological balance in a river basin when you introduce water as well as all of the life-forms that exist in that water into a different basin. That's the first reason.

The second reason is that we're very, very concerned about the long-term temptation and pressure on the government to approve the transfer of water to not only meet drought, which, if it's in Alberta, is one thing, but particularly we're concerned about the long-term political potential for transferring significant parts of Alberta's fresh water to the United States. That's something that we are unalterably opposed to, Mr. Speaker, for a variety of reasons, which I won't get into here.

In this particular case I think it's clear that what we're talking about is drawing water from one basin which is connected to

another, passing it through a wastewater treatment plant and then into a different basin, and this is being done in order to provide necessary water to a number of communities. As such, while we certainly would not accept this as a precedent, we will support it because of that and because it meets the needs of Albertans and because it is not transferring the water directly. It's just simply that the drinking water comes out of one river basin, and the wastewater after treatment goes into a different one. That is something that under the circumstances we're prepared to support, Mr. Speaker, so we'll support this bill.

THE DEPUTY SPEAKER: The hon. Minister of Environment to close debate.

DR. TAYLOR: Yes, to close debate. Thank you. I'd like to thank the members opposite for their support of this bill. This is the first interbasin transfer bill that we've ever had in this province, and I appreciate their support on this interbasin transfer bill, that we will shortly conclude. As we go forward, I look forward to their support on other community-driven bills that may be looking at interbasin transfer as well; mind you, driven by the communities that are involved. I look forward to their future support.

Thank you.

[Motion carried; Bill 3 read a third time]

3:30

Bill 34
Seniors Advisory Council for Alberta
Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Government House Leader on behalf of the hon. Minister of Seniors.

MR. HANCOCK: Thank you, Mr. Speaker. I'd like to move Bill 34, Seniors Advisory Council for Alberta Amendment Act, 2002, for third reading.

The bill is very straightforward, requires no further explanation. It simply allows for the extension of the term of the chair of the Seniors Advisory Council.

MS CARLSON: Mr. Speaker, in spite of our questions at second reading and in committee, we still haven't got the answers as to why this was a necessary bill, why now all of a sudden the length of term served by the chair of the Seniors Advisory Council, which is currently held by the Member for Calgary-West, needs to be extended beyond the six-year, or two-term, maximum. We haven't seen any justification for that in this Assembly, so the question arises: is it just a job creation program? That question hangs out there because it hasn't been answered. So in the absence of any answers I will not be supporting this bill.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. We're doing Bill 30-2; right?

THE DEPUTY SPEAKER: Bill 34 is the one that I have.

MR. MASON: Oh. Well, Mr. Speaker, I can speak on that one too.

THE DEPUTY SPEAKER: On Bill 34?

MR. MASON: Mr. Speaker, on Bill 34. We think it's a good idea to consult with seniors, and we're supporting the bill. Thank you.

[Motion carried; Bill 34 read a third time]

Bill 30-2
Adult Interdependent Relationships Act

THE DEPUTY SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. I'm pleased to move for third reading Bill 30-2, Adult Interdependent Relationships Act.

In so moving, Mr. Speaker, I would like to thank members from all sides of the House for the good work that has been put into developing an act which, I think, is forward looking, which reflects the values of Albertans, which clearly retains for many Albertans their desire to have the institution of marriage recognized for what it is, as a very important institution for our society, while still balancing that with the necessity to allow people in relationships of their making to have access to the law.

[The Speaker in the chair]

Bill 30-2 is a bill which has taken a lot of work by members of the Assembly over the course of the past year in making sure that all of our issues and concerns, our values and our structures have been addressed. I think it has achieved that in a very comprehensive and appropriate way. I would like to thank the members of the opposition for the co-operation they've given in pointing out concerns and raising issues as I would members of the government caucus in very carefully and very thoroughly looking at the issues being raised and assisting with responses to those issues and concerns in order that we might have an act which will I believe in its entirety do Alberta proud.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. We will be supporting this bill, and I would like to be on record as stating that I certainly support it. It perhaps doesn't go quite as far as what we could have wished for, but it certainly makes some progress. We certainly see this particular bill having been strengthened by the amendment that came forward and that amendment certainly addressed many of the concerns that we were hearing in the community. So we look forward to this particular bill being proclaimed.

THE SPEAKER: The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: Thank you, Mr. Speaker. At third reading of Bill 30-2 I wish to put on record my support and admiration for the Attorney General and Minister of Justice, who, in my view, very skillfully put this piece of legislation together. I would like to thank members of caucus, many of whom had to search into their consciences to support this bill. In my view – and this has been a very long quest for me – it required a certain amount of giving on both sides, and I respect and acknowledge that and thank them very much. In particular, as I've said, I do wish to recognize the particular skill and effort of the Attorney General and Minister of Justice.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Mr. Speaker, thank you for the opportunity to make

some comments on third reading of Bill 30-2, which we understand is going to be the last hyphenated bill ever considered by this Assembly. I want to indicate at the outset that the New Democrat opposition is going to support the bill at third and final reading. However, I must indicate that we are supporting the bill with some very serious reservations. There are some serious flaws in this legislation which may come back to haunt this Legislature down the road.

We're supporting Bill 30-2 because at long last people in same-sex relationships will have equal access to the laws of this province. These laws impose obligations as well as confer rights. Whether we're talking about employment benefits, pensions, or family law, same-sex couples will at long last have the same rights and obligations as opposite-sex couples.

It's been over three and a half years since the Supreme Court in *M versus H* ordered governments to end discrimination against those in same-sex relationships. This province is one of the very last in Canada to take this long overdue step of ending this discrimination. So I do commend the Minister of Justice for taking this long overdue step. Approval of Bill 30-2 by this Assembly will mean that people in relationships that are not traditional will no longer be required to fight expensive battles in the courts and through the Human Rights Commission to have equal access to the law.

Having said this, however, I continue to be concerned that the compromises the Minister of Justice had to make to gain the support of his own caucus for this bill may come back to haunt Albertans down the road. The preamble, in particular, Mr. Speaker, is unnecessarily narrow and excludes many Albertans, and to suggest that it is a representation of the views of all Albertans is not correct. It might well represent a concession made within the government caucus in order to gain support for the rest of the bill, but it continues to marginalize, sideline, and isolate many Albertans.

I think it's well established in constitutional law that the federal government is paramount in matters dealing with marriage and divorce. This is the second time in the past few years that this Conservative government has chosen to intrude on the federal government's jurisdiction over who may enter into marriage or marriage-like relationships. Several years ago Bill 202 was passed in this Legislature, that purported to define marriage as between a man and a woman, clearly intruding into the federal government jurisdiction over who may marry. Even the Minister of Justice at that time commented that Bill 202 could well be found unconstitutional if it were ever to be challenged in the courts. It is for good reason that the framers of our Constitution decided to give the federal Parliament the power to establish legal relationships such as marriage. If every province had this authority, we could well end up with a patchwork quilt of such relationships across the provinces.

3:40

I fear that we may well be going down the same road with this attempt to create a new category of relationship called adult interdependent partners, or AIP for short. *Edmonton Journal* columnist Paula Simons commented that this government appears to want to turn this province into the planet of the apes.

Now, I am aware that the Minister of Justice genuinely believes that it is appropriate to provide legal recognition to relationships other than conjugal relationships. There may well be merit in doing so, Mr. Speaker, but this does not entitle the Minister of Justice to legislate in an area that is properly the constitutional responsibility of the federal government.

I have noted and others may have noticed as well that the government is rather sensitive about any intrusions by the federal government into provincial jurisdiction, whether it's in the area of

health care or control over natural resources or control over CO₂. This government went so far in Bill 32 as to complain that pollutants being released into the atmosphere were natural resources over which the provincial government was claiming ownership. You would think, Mr. Speaker, that this Tory government would be more careful about intruding into federal jurisdiction, yet whether it has to do with wheat marketing or purporting to define adult relationships, this government seems only too eager to wander into areas that are properly the responsibility of the federal government when it suits them. All this government had to do to provide legal equality to Albertans in various relationships was to use a definition such as common-law partners. Instead, it took something that was simple and made it complicated by creating a brand-new category of relationship.

So we may in the end regret some of the things in this bill, Mr. Speaker, but in the end it does in a roundabout way what could have been done more simply and which the courts have ordered and which only human decency and respect for other people requires us to do, and as a result the third party, the New Democrats, will support this bill at third reading.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you, Mr. Speaker. I'm pleased to have the opportunity in third reading to speak to Bill 30-2, the Adult Interdependent Relationships Act. This is new law, and I'll certainly grant to the Attorney General that it's difficult to make new law. It's very hard to look forward and anticipate what may not be workable, and I think credit is due to him for trying to come forward with a piece of legislation that (a) passes this Assembly and (b) was implementable and (c) is Charter-proof, and I know he tried hard to do that. Now, we don't know whether he will have been successful.

As I have mentioned a number of times before in speaking to this bill, I was pleased with part of the definition, the inclusive part, but still have reservations about going beyond what was absolutely necessary and opening it up to the committed platonic relationships. It has caused such issue in the community about whether, in fact, the law will be capturing people that are not committed but are certainly in platonic relationships and the concern that has been caused there that people would be in fact captured under a law and responsible under a law that they didn't know they were falling under. I think that causes its own set of problems.

There continues to be discussion in all communities, I think, about what the appropriate path to follow is. Some people would feel very strongly that marriage should be left as it currently is, between a man and a woman, and as constituted by the federal government, but even that is up for change. Certainly, the federal government is looking at whether it would step aside from the responsibility of defining who gets married, opening that up and setting it to the churches or perhaps even back to the provinces.

I'm certainly aware of the point the Member for Edmonton-Highlands was making that something was made complicated that should have been simple. I will agree that people have spoken to me: why can't we just open up the definition of marriage and have everyone be able to be married? But not everyone agrees with that, frankly, and I'm not going to take sides one way or another.

My concern with this legislation was that we be able to make sure that common-law couples were able to access the remedies, benefits, obligations, and responsibilities that existed under law for married couples. That, for the most part, had already happened as a result of a number of court challenges and Charter challenges over the years. Of course, given my constituency and a very long association with

enshrining gay and lesbian rights in legislation, my concern around this definition was that it would adequately and positively capture same-sex couples underneath this legislation.

I will note again here my extreme unease with the preamble as it exists. In fact, I supported the amendment that was brought forward by the Member for Edmonton-Highlands to change that preamble. I think it didn't need to be there at all, and it's taking a bat and beating a group of people over the head, which is I feel really unnecessary.

Nonetheless, am I willing to reject the entire legislation and what it can bring to a significant number of my constituents because of the preamble and because of some of the problems that are caused by these uncommitted or casual platonic relationships? No, I'm not. I will support this legislation. It is the culmination for me of many years of work to make sure that that definition does include same-sex couples. It is enshrined under law that they do have protection, that there are ways for couples if they break up to be able to look to one another for support, that upon death if they die intestate there is a reasonable distribution of property, and for a number of administrative legal details as they go through life: change of name, Public Trustee, the banking, a number of other technicalities that will affirm their chosen family.

I think it's also important to note here that with the inclusion of the number of pieces of legislation we've included in this definition, we will also get away from some of the truly silly situations we had where, for example, with the conflict of interest legislation the one group of people who were not subject to it were, in fact, those couples living in a same-sex relationship. Everybody else it applied to; not to them. Also, the situation that I raised in a previous debate around health care insurance premiums where employers were willing and interested and, in fact, tried to pay family health care insurance premiums on behalf of employees, and the cheque was sent back and refused by Alberta health care because they wouldn't recognize the relationship. I think this government often talks about having strong partnerships between the corporate sector and the public sector, and here was one that was trying very hard to work and was being in fact stopped by current legislation.

So, on the balance of things, I encourage all members of the Assembly to support this legislation. It will move Alberta forward amongst our colleagues in the other provinces across Canada and in the federal government.

I will admit to one hesitation, and I hope that it doesn't cause us trouble. I still query the amendment that was brought forward while we were in Committee of the Whole. It seems to have alleviated a number of people's concerns, and for that I think there is a great deal of merit that can be put on it, but it almost instantly started to raise other questions. That was the amendment that stated that those related by blood or adoption would not be considered adult interdependent partners unless they signed a written agreement. Right there you've already created a differential. You have a group of people who by all appearances should be captured by it who now are not. Now, how do you get the word out there that these people will be covered if they cohabit for three years or for less if there is a child by birth or adoption or they sign a written agreement? Now you have a group of people that must sign a written agreement, and the three years does not pertain. So I hope that that one does not come back on us. I hope it remains as part of the package and helps us Charter-proof this.

Thank you for the opportunity to speak repeatedly to this legislation, to the minister for having been so willing to meet with me – I can't count the number of times over the last year – and to listen to my concerns and to be willing to, in fact, address some of my

concerns in the legislation. I think we should be proud of this. We're certainly making history here.

Thank you.

THE SPEAKER: Hon. members, Standing Order 29 kicks in, but none of the members want to exercise it today.

[Motion carried; Bill 30-2 read a third time]

3:50

Bill 31

Security Management Statutes Amendment Act, 2002

THE SPEAKER: The hon. Minister of International and Intergovernmental Relations on behalf of the hon. Minister of Justice and Attorney General.

MR. JONSON: Thank you, Mr. Speaker. I would just like to speak at third reading to Bill 31, and I think that I would first like to point out that the bill is designed to prepare Alberta for various types of threats and emergencies but particularly terrorist threats. Members of the Assembly will have noted that it covers numerous pieces of legislation and many areas of Alberta government responsibility including drivers' licences, public lands, transportation, and fundraising. It is a reality in our current situation in this country, in this province, and in this world that we do have to take measures, put in precautions to protect our population and our infrastructure and resources but most importantly the millions of individuals that live within this country and in this province.

The bill is a result of a comprehensive review undertaken by the Ministerial Task Force on Security, of which I happen to be the chair. I would like to just note very quickly that in the formation of the bill a number of steps were taken to strengthen security provisions across the province. We reviewed security at key energy and utility sites in co-operation with oil, gas, and utility industry officials. We improved links with the RCMP, the Canadian Security Intelligence Service, other provinces, and industry. The Alberta Emergency Preparedness Partnership was reconvened. For those of you who might not be familiar with this group, it is made up of a number of groups and organizations including federal, provincial, and municipal government representatives, industry and utility representatives, as well as fire, police, military, and intelligence officials, and that overall umbrella organization has been very instrumental and very much a part of our overall security effort.

There have been some additional resources put into the whole security effort in the province, Mr. Speaker. Particularly, significant equipment is being provided to the major cities to help detect chemical, biological, radiological, and nuclear threats. Registry procedures in terms of identification have been changed to prevent the creation of fraudulent identification such as drivers' licences and birth certificates. Alberta Health has been co-chairing a national health sector review to strengthen existing strategies on bioterrorism. A new crisis management process was created that outlines the responsibilities of governments and organizations in the event of a terrorist attack and puts the province on even more secure footing. We've held conferences which have brought together all of the stakeholders in the security initiative. One of the most successful was just held last month in the city of Calgary.

We have connected communicationwise with nearby provinces and U.S. states, and we found, perhaps just being a bit presumptuous, that we have some of the best emergency response plans and procedures in North America. The federal government, Mr. Speaker, has acknowledged this as well by stating that Alberta is very well prepared and well ahead of other jurisdictions. This legislation makes us even better prepared to deal with the possible terrorist threats and other dangers.

Mr. Speaker, one of the main comments that I wanted to make, though, in conclusion of my speech on the third reading of this bill is that I know that there are concerns expressed about the violation of civil liberties or the possible intrusion upon reasonable privacy for individuals. But I would like to note that in the legislation there are a number of safeguards, and the main one, I think, is that there is the frequent reference in the legislation through its various clauses to the fact that we are taking action on terrorist activity as defined by the Criminal Code of Canada. We are not creating a new set of laws by which people will be judged should terrorist acts occur.

Secondly, with respect to the health area we are, again, not taking any measures that are not provided for in natural disasters and that sort of event that we've had to cope with in the past. We do have to recognize that the method by which, for instance, biological agents might be spread throughout the population – and I guess the best known of those substances is anthrax. We must be changing our procedures and our approach to make sure that we can react very quickly and very comprehensively to, let us say, an anthrax attack in our province. Anthrax, of course, has been around for a long time. It is not a new substance. But in this province and all across Canada we are used to dealing with it as a spore or substance which is typically associated with the raising of cattle and the pollution, you might say, of the soil. If we did not know before the tragedy in New York at the World Trade Center, we know now that anthrax can be used in a much more deadly way on a much broader basis.

So I appreciate that there needs to be a watch always maintained by governments on behalf of their populations that the measures that are being taken are not too extreme. We feel that in this particular piece of legislation, Bill 31, Mr. Speaker, we have provided for the right balance. We have to recognize that there is a reality now that Canada and Alberta are potential sites for terrorist action, and we can only be vigilant.

It's our responsibility as a government to make sure that to the greatest extent possible we have provided for the protection of the people of Alberta and those who visit Alberta and to provide for this protection in a reasonable manner, but most importantly, Mr. Speaker, it also has to be in an effective manner that will protect the lives of the people in this province.

4:00

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I would like to thank the minister for his comments in third reading on Bill 31. It certainly does clarify some of my concerns, and we certainly do support the need to tighten up in several areas for the security of the people of Alberta.

We still have some concerns, though, about the power that's been given to the ministers and the areas that have been changed. While the minister has explained the reasons behind those changes and we support those changes, the problem for us is still that a great deal is being left up to regulation and subordinate legislation then. So that always raises some concerns for us.

Privacy is still a concern in several of the sections. I haven't adequately had the question answered: where's the oversight for the preparation of the regulations? Can we ultimately be sure, Mr. Speaker, that the steps are measured, appropriate, and not unnecessarily intrusive? There could be situations where it's very necessary to be completely intrusive, but the part about doing this behind closed door with the regulations is still a concern for us.

Nick Taylor, who joined us today, has a saying for opposition members, and that is: when in doubt, vote against. So, Mr. Speaker, while we support the intent, we are not sure about the application, and I personally will be voting against this bill.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I'm rising to speak against Bill 31 at third reading. Many of the concerns which have just been briefly touched on by the minister at third reading were raised in considerable detail during the debate at second reading and at committee stage and during the discussion of a number of amendments that were put forward by myself. I do not believe that the rather brief and general response now in third reading is satisfactory.

There remain a number of loopholes in this bill that put people's civil liberties at risk and create the potential for considerable confusion with respect to who's making policy within the government. There are quite a number of those. The two most serious ones, in our view, are the ability of ministers, independently and without any sort of accountability to their colleagues, to make independent decisions about sharing information under the control of their ministry with foreign governments, foreign police services, and indeed any other government within Canada. We would have been far more comfortable had our amendment or an equivalent one from the government side been adopted in committee, which would have required government departments to have a consistent policy and to refrain from on their own authority sharing information with whichever foreign government or foreign intelligence agency or police force they choose. That's the first one, Mr. Speaker.

The second one is the sections in the bill that allow any employee of a health authority to share personal and confidential information about any individual with anyone they deem necessary if they have reason to believe that any person may be put at risk, and that just rips a gaping hole in the Freedom of Information and Protection of Privacy Act. We believe that it is poorly thought out and does not meet the test of a reasonable balance between people's personal information and the general public good.

So with those comments, Mr. Speaker, I just want to indicate that we're not going to support the bill. We think that it is poorly crafted and doesn't take into account many of the rights of people that have been established previously by this Assembly.

Thank you.

[Motion carried; Bill 31 read a third time]

Bill 37

Occupational Health and Safety Amendment Act, 2002

THE SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. I'd like to move third reading of Bill 37, the Occupational Health and Safety Amendment Act, 2002.

Bill 37 is part of government's commitment to Workplace Safety 2.0, a comprehensive government and industry strategy to reduce the injury rate on Alberta work sites by 40 percent by the year 2004. The actions proposed in this bill include increasing the maximum fine for Occupational Health and Safety Act violations from \$150,000 to \$500,000; introducing penalties other than fines or incarcerations for OHS offences, such as providing safety programs or education programs; streamlining the process for updating OHS rules by allowing the creation of an occupational health and safety code to govern the codes of practice for work site safety; allowing the use of administrative fines similar to those used for traffic violations – the introduction of these fines will depend upon a review of these fines in other jurisdictions to determine their

effectiveness – and finally, publishing the names of employers with the best and worst safety performance in the province.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. We certainly support the intent of Bill 37, the Occupational Health and Safety Amendment Act, 2002, and we would like to thank the government for the support of the amendment from Edmonton-Gold Bar last evening. We think it strengthens the bill, and we like to see that this government has taken a stance in endeavouring to further promote workers and their safety. Definitely, workers should be given better odds of staying alive when they're working for a living than perhaps they had in the past, and hopefully this bill will help strengthen that.

We raised a number of concerns, heard a number of amendments come forward, but at the end of the day this is a pretty good bill, Mr. Speaker, and we're happy to support it.

THE SPEAKER: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Well, thank you, Mr. Speaker. I want to begin by saying thank you to the Member for Drayton Valley-Calmar for carrying this bill forward for us, also to the Member for Edmonton-Gold Bar for the amendment that we viewed as friendly and were able to accept last evening but also to all members here in the House that support workplace health and safety.

I thought the Member for Drayton Valley-Calmar made an excellent synopsis of the provisions of the bill, but I just want to assure everyone that there's far more to workplace health and safety and to meeting the goal of a 40 percent reduction by the year 2004 than just the enforcement side. Of course, legislation is there to provide, then, the framework for enforcement, but what goes far beyond this is a renewed commitment on the part of employee representatives, employer representatives, the Workers' Compensation Board, and the workplace investment division of our department in dealing with what has become a more political and a more politicized situation here in Canada, not only in Alberta.

The idea that governments would stand back and watch carnage in the workplace: those days are over. There is a new time now in Canada and especially a new time in the province of Alberta when we're going to work very actively and, I might say, even intrusively in the workplace in making for better and safer workplaces here in this province. This bill goes toward that, and I look forward to all members supporting this bill here at third reading.

4:10

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. It's my pleasure to rise at third reading and indicate our support for Bill 37, the Occupational Health and Safety Amendment Act, 2002. For quite a number of years now I've attended either as an MLA or before that as a city councillor ceremonies marking the Day of Mourning, which is a day set aside by the labour movement to mark workplace health and safety. Year after year we've heard speeches, we've heard poems and presentations, we've seen videos, we've heard from the families of people who have been killed or badly injured at the workplace, and always there has been an undertaking by government to fix the situation. Yet year after year a hundred or more people are killed in this province at the workplace. Nobody goes to work expecting not to come home. They expect and their families expect

that they're going to go to work, that they're going to work safely, and when their shift is over, they're going to come home, and they're going to have dinner with their family. For too many people for too many years that hasn't happened.

Mr. Speaker, I want to say that this is the first indication that I've seen in all of those years of attending those ceremonies marking the Day of Mourning that there's an actual will on the part of the government to change the situation. The situation, as the minister has indicated, is completely unacceptable. It has become politicized. Workers have driven home the message that they're not prepared to allow this state of affairs to continue and to have dozens and dozens and dozens of people killed at the workplace. So this bill, in my view, marks a very good step, a first real step towards correcting that situation, and I commend the minister for it. I believe that he's the first minister with the intestinal fortitude to actually put his foot down and say: enough is enough.

Now, whether or not this bill is sufficient or whether or not additional steps need to be taken remains to be seen, Mr. Speaker. I believe that there will have to be additional steps taken if we're going to actually deal with this issue, because in the end there should be zero tolerance for workplace death and injury. The objective should be to eliminate workplace death and injuries completely and utterly.

Just in closing, Mr. Speaker, I'd also like to commend the Member for Drayton Valley-Calmar for his work on this bill. He's done a good job, in my view, of explaining the bill and assisting with its passage through the Assembly, so I extend to him my congratulations.

Thank you very much, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Good afternoon, Mr. Speaker. It's a pleasure to rise this afternoon and participate in Bill 37 at third reading.

DR. PANNU: Take a deep breath.

MR. MacDONALD: I am quite concerned about greenhouse gas emissions and deep breathing. But in light of the importance of Bill 37 and workplace health and safety, I heard from the Annex the hon. Member for Edmonton-Highlands speak, and I was compelled to come over and join the debate at third reading.

In conclusion, for a long period of time the minister consulted publicly with unions, with business, with various groups across the province. This legislation is the result of that consultation. One cannot take lightly this legislation when one considers that on the day it was introduced, unfortunately two more Albertans were killed on the job, and the following day another individual didn't come home from work. So when we consider that and the initiatives that have been proposed here, it is very important, I believe, that we support the minister and his department and the hon. Member for Drayton Valley-Calmar for the work that they have put into this, and we have to hope, Mr. Speaker, that these legislative changes will make a reduction in the number of fatalities that were discussed earlier by the Member for Edmonton-Highlands.

Now, we all know that there seem to be two different statistical stories in this province. There is one for the union sector and one, unfortunately, for the non-union sector. The union sector has a remarkable safety record, and that is the bar that I think all . . .

AN HON. MEMBER: Nobody moves; nobody gets hurt.

MR. MacDONALD: Now, someone said that on union jobs no one

works, no one gets hurt. But the productivity on those jobs is second to none, and I would only ask the hon. Member for Edmonton-Castle Downs and the hon. Member for Edmonton-Calder that perhaps they should go for a day or two and see if they can keep up with those unionized workers in their line of duty, just see if they can keep up.

Mr. Speaker, if we look at the oil sands downstream development at Albion, 6 million person-hours were worked without lost-time injury; at the MRC project in Fort McMurray, 4 million person-hours worked without lost-time injury. Overall, union construction sites are well below the 2.0 rate and into the zero range on rates. This is why I say that it is a bar or it is a target for all work sites in this province.

With that, Mr. Speaker, I believe I'm going to say that I'm the first speaker in this Assembly that has been breathless from his own words. I am going to take my seat and wish the minister, his department, his staff, and the hon. member the very best, and hopefully, with cautious optimism, there will be an improvement in the occupational health and safety record of work sites in this province.

Thank you.

SOME HON. MEMBERS: Question.

THE SPEAKER: The hon. Member for Drayton Valley-Calmar to conclude? The question has been called, then.

[Motion carried; Bill 37 read a third time]

Speaker's Ruling Tabling Documents

THE SPEAKER: Hon. Government House Leader, just before recognizing you, just a comment that I want to make with respect to an event this afternoon in the Assembly.

4:20

It had to do with tablings. There seemed to be a situation that developed, so I think perhaps it's in order just to make a few comments regarding the rules governing tablings in this Assembly. One of the fascinating things about the various parliaments that exist in the world is that even in one of the key documents we use – it's just one of a number of documents we use – *Beauchesne's Parliamentary Rules & Forms*, if one went into the table of contents and tried to find the word "tabling," you would not find it. It simply does not exist. As an example, in *Beauchesne's Parliamentary Rules & Forms* there is one section, just one innocuous section in the documents, section 347. It just basically talks about "two methods by which the government may table documents in the House."

We've had these discussions in this Assembly before. Our Assembly is probably one of the most permissive parliaments to be found anywhere that follows the British parliamentary form of governance. In most parliaments the only individuals who provide documents and participate in the tablings of documents are members of Executive Council or parliamentary secretaries, essentially, and they're tabling documents that are official publications of the government.

In our Assembly we've had a situation in our Routine that allows for tabling returns and reports, and people sometimes do go beyond what would normally be the prescribed methodology that most members would deal with. However, we have allowed such tablings of documents to be made in the Assembly, and members from time to time have basically been rather imaginative with respect to what they have done. It strikes the chair, anyway, that one of the reasons the three House leaders agreed to move this section of the Routine

to another spot in the Routine is to make sure that whatever time was afforded for television coverage of the question period would not simply be all eaten up in the tabling of documents. However, some members will stand and table a document and say that there are 1,800 names in a document and not read the 1,800 names. That's the appropriate way of tabling a document, one would suspect, because one of the key things has to deal with the length, and there's no provision, basically, for editorial comments, ministerial statements, or lengthy quotations. Brevity is the key.

The Acting Speaker cautioned the members today more than once I understand, and although it is the practice we have to provide considerable latitude, it's also the role of the chair to ensure that the business of the Assembly is conducted in an orderly fashion. All members, including the Member for Edmonton-Highlands, may wish to consult previous rulings from April 15, 1999, December 2, 1999, and August 14, 1996, on this particular topic.

Hon. members, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

(reversion)

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much. Timing is everything. I would like to introduce to you and through you to all members of the Assembly a constituent and her guest. Joining us in the public gallery is Diane Oxenford, who is a very dedicated community member and was very active working on the ConCerv project to decommission the Rosedale power plant. With her is a foreign exchange student, Daniel Gomes. He's from Brazil, and he is currently attending St. Francis Xavier high school. Diane has been taking Daniel around to many of the fun things to do in Edmonton during the winter. I would ask them to both rise, please, and accept the warm welcome of the Assembly.

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. In light of the fact that the only remaining item of government business on the Order Paper is Bill 32 and we previously indicated our intention to table Bill 32 for public discussion, perhaps with a view of bringing back it or some other version in the spring, I believe it would be in order to move that we adjourn until 1:30 p.m. tomorrow rather than the usual adjournment motion to 8 this evening.

[Motion carried; at 4:25 p.m. the Assembly adjourned to Wednesday at 1:30 p.m.]