

## Legislative Assembly of Alberta

Title: **Tuesday, March 25, 2003**

**1:30 p.m.**

Date: 2003/03/25

[The Speaker in the chair]

head: **Prayers**

**The Speaker:** Good afternoon.

Let us pray. Dear God, author of all wisdom, knowledge, and understanding, we ask Thy guidance in order that truth and justice may prevail in all of our judgments. Amen.

Please be seated.

head: **Introduction of Guests**

**Mrs. McClellan:** Mr. Speaker, it's an honour and a pleasure to introduce to you and through you some very special guests in the members' gallery. We have present today Brad Klein, who is the son of the Premier, his wife, Leslie, and their children Braden and Avery, and soon Great-grandpa Phil will be joining them. Braden and Avery had lunch with Grandpa Klein and Great-grandpa Klein, and of course mom and dad joined them. I would invite all members to give our special guests a very warm welcome.

**The Speaker:** The hon. Minister of Human Resources and Employment.

**Mr. Dunford:** Thank you very much, Mr. Speaker. When you're from the deep south, like I am, it's not often we get to welcome guests from schools, but it's certainly my honour to be able to do that today. I want to introduce to you and through you to the members of the Legislature 58 students, 13 parents, and three teachers from Dr. Gerald Probe school, that is in my constituency. Now, there's quite a list. I will briefly mention the names of the teachers and the group leaders. We have Mr. Vaughn Atkinson, Mr. Wayne Filipenko, Ms Misti Rogers, and all the parents and the students. They might be in both galleries. If they would rise and receive the warm welcome of the Assembly.

Thank you very much.

**Mr. Mar:** Well, Mr. Speaker, I'm pleased to rise and introduce to you and through you a number of guests who are sitting in the gallery: Anna Russell, Joan Meachem, Natalka Harvey, George Flynn, Anne-Marie Piccinin, Andy Tymkow, Lara Check, Bruce Milne, Amy Spencer, Andrea Stabber, Laura Inglis, Sara Cooke, Fred Horne, and Sandra Duxbury. I'd ask that they rise and please receive the warm welcome of this Assembly.

**Ms Evans:** Mr. Speaker, I'm honoured today to introduce a group of exceptionally bright students from Horizon school in Sherwood Park. They've been here this morning touring the Legislature. They're in the public gallery. If they would please rise so we could give them the traditional warm welcome.

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

**Dr. Pannu:** Thank you, Mr. Speaker. I'm honoured today to introduce to you and through you to the members of the Assembly a number of parents from King Edward school. They are my constituents as well as active members of the parent council at King Edward school. In addition to them, there are two parents from Eastwood school and Forest Heights school. Let me name them, with your permission. The parents from King Edward school:

Joscelyn Proby, Jean McKenzie, Kelly Collins, Natasha Bergsma, who is here with her sons Raymond, Matthew, and Jonathan, Mary-Wynne Semchuk, Beverly Yeung, Dubravka Staka, Joanne Wynn. I'll ask them to please rise and wait until I name the other two visitors before they receive the warm welcome of the Assembly: Trudy Corless, a parent from Eastwood school, and Rita Kent, a parent from Forest Heights school. They're all on their feet, and I'll ask my colleagues to give them a warm welcome.

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

**Dr. Taft:** Thank you, Mr. Speaker. It's a great honour for me today to introduce to you and through you to all members of the Assembly Dr. Shirley Stinson, who's seated in the public gallery, and I'd ask her to please rise. Dr. Stinson has raised the profile of nursing in Canada and contributed to improved standards of patient care around the world. Her pioneering efforts to establish nursing research as a respected field of study led to one of the first master's and doctorate in nursing programs in Canada. Founding chair of the Alberta Foundation for Nursing Research, she has worked to promote the study of advanced clinical nursing practice, theory, and research and brought this view to other countries. Professor emerita at the University of Alberta and adjunct professor for life at the University of Calgary, she is a mentor to generations of young nurses. For her achievement she has been named as an officer of the Order of Canada. Please give her a warm welcome.

**Mrs. McClellan:** Mr. Speaker, it is a pleasure to introduce to you and through you a guest that has joined us since I introduced Braden and Avery. Their great-grandpa has joined us now. I especially wanted to introduce Phil Klein, because I thought he might be nervous. He introduced our Premier this morning at the breakfast for Kids Cottage, and I thought he might think that I would give him a similar introduction, but I won't. This is a gentleman who does a lot for the volunteer community, particularly known for Crystal Kids work. Please welcome Phil Klein.

head: **Oral Question Period**

**The Speaker:** First Official Opposition main question. The hon. Member for Edmonton-Mill Woods.

### McCauley School

**Dr. Massey:** Thank you, Mr. Speaker. Recently the Minister of Learning criticized low student numbers at McCauley school that resulted in small class sizes. This and low space utilization were used as criticism of the Edmonton public school board. My questions are to the Minister of Learning. Why would the minister criticize McCauley school when the school is being recognized internationally as an example of how the integrated delivery of community services can help inner-city students increase their achievement?

**Dr. Oberg:** Mr. Speaker, McCauley school presently has approximately 210 students. The average class size for grades 1 to 6 is 14.7. The utilization rate for the school is 35 percent. I'll have the Minister of Infrastructure comment more on the utilization ratio, but when a school is at 35 percent, it means that there's a considerable amount of the rest of the space in the school that is being funded by the school board, that costs them money quite frankly. What I'll do is have the Minister of Infrastructure supplement my answer on the utilization.

**Mr. Lund:** Mr. Speaker, we assess the schools, taking the amount of space that is available in the structure and then, of course, dividing that by the number of students, figuring out the capacity of the building and then dividing it by the number of students, to figure out the utilization rate. Obviously in the McCauley school there are a number of areas that aren't being utilized to their full extent, and that's why there would be some concern when we look at the overall operation of that particular school.

**Dr. Massey:** My second question is to the Minister of Learning. Why would the minister criticize McCauley school for having small class sizes when his own research project in this school concluded that there were large gains for students and his department endorsed such a plan under the AISI grant?

**Dr. Oberg:** Mr. Speaker, the hon. member is absolutely right that a lot of our projects under AISI were on class size, but again that was done in conjunction with the school boards and with the parents. We are currently tabulating the information on class size, and there are several areas in the province where they decreased class size and in actual fact there was no great improvement. McCauley's class size, again, is 14.7 students. The school is 35 percent utilized. A key point to this is that there are good programs going on there. Absolutely. There are a lot of hardworking teachers, and it's an excellent school, but we have to look at some of these utilization factors as well.

1:40

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

**Dr. Massey:** Thank you. Again to the same minister: why would the minister criticize McCauley school when the school has proven viable enough to be approved for a \$4.5 million renovation, which is currently under way?

**Dr. Oberg:** Mr. Speaker, first of all, I have not criticized their school. I've simply stated facts.

With regard to the authorization for the renovation that is under way, I'll ask the Minister of Infrastructure to comment on that.

**Mr. Lund:** Mr. Speaker, there's a process that we use for approving modernization whether it be under the major program or whether it's a separate program. In that process we look at the prioritization that is presented to us by the board that operates the school and then weigh that against provincial priorities. Certainly, the Edmonton public board has indicated that this school is a priority, and that's why they would have gotten approval for a modernization project.

**The Speaker:** Second Official Opposition main question. The hon. Member for Edmonton-Mill Woods.

#### School Utilization Formula

**Dr. Massey:** Thank you, Mr. Speaker. Recently the Minister of Learning held up McCauley school as an example of how Edmonton public is underutilizing space. He told the Assembly that the utilization rate for the school is 35 percent. My questions are to the Minister of Learning. Does a utilization rate of 35 percent automatically warrant closure of a school?

**Dr. Oberg:** The answer to that, obviously, is no, Mr. Speaker. What happens is that the school boards, regardless of where they are around the province, are the ones who determine which schools stay

open and which schools close. We do not want and I don't think taxpayers want to be funding, to be heating, to be operating electricity to schools that are 65 percent underutilized, and that's one of the reasons that the utilization factor is taken into account when it comes to operation and maintenance. Again I'll ask the Minister of Infrastructure, in whose budget operations and maintenance are, to answer that question.

**Mr. Lund:** Mr. Speaker, we underwent a process involving the school boards, the superintendents, and the maintenance operators from a number of jurisdictions in order to devise a proper way of dividing among all 1,463 schools in the province of Alberta the operating and maintenance money. As it relates to McCauley, there was a program set in place some few years ago where they looked at seven schools within the centre of the city with the intent of bringing the utilization up. Out of that study it was obviously determined that McCauley was one that should continue and that the utilization would likely increase by the closing of one or two other schools within the area.

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

**Dr. Massey:** Thank you. My second question is to the Minister of Infrastructure. How fair is it to compute the utilization rate of older schools based on wall-to-wall outside measurements, wider hallways, and larger entranceways that were characteristic of older school buildings?

**Mr. Lund:** Mr. Speaker, as I indicated earlier, we didn't do this internally on our own. We had a number of the players in the field actually devise how this is going to work.

As it relates to some of the older schools within the cities, for any high school that was constructed prior to 1990, we haven't changed the formula at all. It's only on the high schools that were built since that time. On the other schools another change that was made: rather than taking a capacity of 25 students per class, we now look at it in a more realistic way and count it on individual instead of on a 25-student basis. So I believe that this new formula certainly is more reflective of what needs to be done when we're building new schools. I recognize that it has created some problems in some of the older schools, but realistically if you take the new versus the old, the percentage of utilization usually falls only within 2 to 3 percent. So it's not a really big difference.

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

**Dr. Massey:** Thank you. The third question to the Minister of Infrastructure: will the minister consider adopting our community school plan, which would make viable smaller schools by housing a variety of community and district services?

**Mr. Lund:** Mr. Speaker, that's a good suggestion. It's something that we're already looking at and doing. I must point out to the hon. member that if in fact a portion of the school is used for something other than instruction, then it is taken out of the base, so the utilization goes up. We are urging the boards to look at those types of things. Now, having said that, there's still some problem, because if you have a classroom that is large and you don't have enough pupils to put in it, you can't just carve up a part of that classroom in order to reduce the area.

So it will assist, and we are already trying to get boards to look at how they might do some of those things to actually serve the community.

**The Speaker:** Third Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

### Energy Deregulation

**Mr. MacDonald:** Thank you, Mr. Speaker. This Progressive Conservative government's energy deregulation policy has become a scandal. This scandal has meant the end of affordable home heating costs for all Albertans. Angry, frustrated, and now broke Albertans are waiting for the EUB to approve natural gas rates for next month. My first question is to the Premier. How much money should Albertans be saving this month so that they can pay the unexpected utility bill add-ons that are coming as a result of this energy deregulation scandal?

**Mr. Klein:** First of all, I take great offence at his use of the word, his very liberal use of the word "scandal." There is no scandal. The only thing scandalous about this Legislature is the Liberal Party.

Mr. Speaker, consumers have the opportunity to shop for both gas and electricity. They have the opportunity to enter into budget programs with the various retailers of energy and natural gas, and I would encourage them to seek the best deal that they possibly can. I'd remind the hon. member that deregulation has brought this about. It offers a choice, unlike the socialistic, regulated environment that the Liberals so much enjoyed, where the consumers had absolutely no choice whatsoever. And the NDs, I might add. One of their representatives, of course, was a member of that totally regulated corporation that begged to be unregulated.

**The Speaker:** I take it, hon. member, that you rose on a point of order?

**Mr. Mason:** Yes, I did, Mr. Speaker.

**The Speaker:** Okay.

The hon. Minister of Energy to supplement. Briefly, please.

**Mr. Smith:** Thank you, Mr. Speaker. The only part that I wish to supplement is the complete and erroneous connection that the member continually confuses beyond all shadow of a doubt to himself what deregulation is all about. In fact, the EUB has been regulating the price of natural gas and how it's been filed by ATCO since time immemorial. Wake up and smell the rulings.

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

**Mr. MacDonald:** Thank you. High energy prices are scandalous.

Again to the Premier: how many millions of dollars will Albertans have to pay in deferral charges created by this government before this government swallows their false pride, admits its expensive mistake, and unplugs energy deregulation?

1:50

**Mr. Klein:** Unplug energy deregulation. Will the hon. member stand up in this House and say that he wants to go this moment right back to a regulated, monopolistic, state controlled environment? Mr. Speaker, is that what he's saying? If he's saying that, then stand up and say it.

Mr. Speaker, whenever you make change, there are going to be bumps along the road, and those bumps are becoming smoother and smoother each and every day. Deregulation is finding its way into the marketplace. There's more power than we've ever had before. There are more consumer choices than we've ever had before.

Undoubtedly, we went through an extraordinarily cold March – an extraordinarily cold March. Believe me; when the temperature goes up and when it gets hot, then the rhetoric over there will come down accordingly. You know, it's all related to the temperature. That's how they gauge things, by the wind and the temperature. If the wind blows this way, that's the way they go. If the temperature goes up, the rhetoric goes down; the temperature comes down, the rhetoric goes up.

**Mr. MacDonald:** Again to the Premier. To provide electricity to consumers at the lowest cost possible is the best public policy, and the government knows it. Now, how will this government protect Albertans from further costly add-ons that may appear on future utility bills given that on April 1 a new fiscal year begins and the natural gas rebate trigger is reset?

**Mr. Klein:** Mr. Speaker, as the hon. Minister of Energy pointed out, natural gas has been deregulated, well, for as long as I can remember. I think it was 1985 when it was deregulated. We're heading into warmer months; there's no doubt about it. Hopefully we won't have an extraordinarily cold winter, but having said that, there is one thing for sure, and even the Liberals can understand this: they don't make any more gas. There's only so much in the ground. It's a valuable commodity today, and it's probably going to become more expensive in the future. We have put in a trigger price of \$5.50 a gigajoule, and on an annual basis if the price reaches that, then the rebate program will kick in. It's more generous than what any other jurisdiction in this country, perhaps North America, offers. It's there to shield Alberta customers, as opposed to any other jurisdiction, against the rising cost of natural gas, and it will rise in the future.

### Education Funding

**Dr. Pannu:** Mr. Speaker, joining us today in the gallery are parents from King Edward school in my constituency of Edmonton-Strathcona. I've received 91 letters from 130 families who send their children to King Edward expressing their concern about the chronic underfunding of public education in this province and the looming deficit that their own school faces this year. This shows just how strongly parents feel about the failure to fund the government-imposed arbitration settlement and the reductions in operation and maintenance grants. My questions are to the Minister of Learning. If the government is providing adequate funding to schools, why is King Edward school facing a 7 percent reduction in next year's budget?

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

**Dr. Oberg:** Thank you very much, Mr. Speaker. I'm certainly glad that the hon. member asked me that question, as just this morning I was talking to the superintendent of Edmonton public. I told him of some of the concerns that the hon. member has raised and that I have heard, as well, about the budgeting for this upcoming year. What he said to me was that he has in no way put out any budget targets to the schools. He said that he does not expect a final budget for them until well after April 8, which is our budget year. The hon. member should also know that we do not expect a final budget from the school boards until June 30 of this year, so I really believe it is very preliminary, and the superintendent has said that he has taken action against that.

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

**Dr. Pannu:** Thank you, Mr. Speaker. Can the minister please explain how the loss of a teacher at King Edward school as a result of budget cuts next year, that the council of the school says will happen, will do anything other than hurt kids who'll be put into a combined grade of 29 or 30 kids?

**Dr. Oberg:** Mr. Speaker, speaking of budget cuts, I will read exactly what the superintendent of Edmonton public put out to his teachers on March 21 of 2003. It says:

Discussion surrounding budget planning and possible reductions to staff are appropriate, but no staff member . . . should be formally identified for transfer for 2003-04 until after the staffing procedures are distributed.

The staffing procedures for Edmonton public have not even been distributed yet.

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

**Dr. Pannu:** Thank you, Mr. Speaker. I'll repeat the question to the minister. Will he explain to the parents of King Edward school: how are they going to deal with the increased size of the classes in which their kids will be sitting when the number of teachers is cut next year?

**Dr. Oberg:** The hon. member obviously has a hearing problem, because as I have said, their budget has not even been finalized yet, Mr. Speaker. They have not sent out their final numbers. They have not sent out their AISI funding, which will be out approximately the end of this week. So it is very unfortunate that these hon. members will not talk to the actual administration and the school board, who are putting out these dollars.

**The Speaker:** The hon. Member for Calgary-Montrose, followed by the hon. Member for Edmonton-Ellerslie.

#### Workers' Compensation Claim

**Mr. Pham:** Thank you, Mr. Speaker. The WCB's own medical expert has concluded that my constituent has the following work restriction: he cannot sit for more than six minutes at one time, cannot stand for more than one minute at a time, cannot walk for more than one minute at a time. WCB, however, has cut this man off temporary total disability benefits and ordered him to return to work, contradicting its own policy. On behalf of my constituent I would like to direct my question to the minister responsible for the WCB. What job can the WCB expect a man in such poor physical condition to perform, Mr. Minister?

**Mr. Dunford:** Mr. Speaker, I believe that I have to be somewhat careful in a response because as I heard the preamble of the question, we're dealing with a specific case, and I don't want to get the hon. member or myself, as a matter of fact, into any difficulty with freedom of information and protection of privacy. Maybe what I can say, though, in general terms is that a normal procedure that one might expect in a case like this or similar to this is that the WCB claimant would be directed to a rehabilitation facility, and at some point upon the completion of the rehabilitation program an assessment would be made in terms of the person's ability then to move forward into the workforce.

It's my understanding that in the specific case that has been raised, due to duplication of documents there might be some confusion on the part of the hon. member as to the actual direction that was provided.

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

**Mr. Pham:** Thank you, Mr. Speaker. Again on behalf of my constituent I would like to address my question to the minister responsible for the WCB. Can the hon. minister ask WCB to provide the name of one employer who would be willing to hire a man who cannot stand for one minute, cannot sit for more than six minutes, and cannot walk for more than one minute?

**Mr. Dunford:** Once again, Mr. Speaker, I think that what is happening here in this specific case is a question arising out of perhaps the erroneous duplication of a document. I think that I would ask the hon. member to review with the constituent the actual information that has been provided. I would ask the hon. member to review the letter that was written by myself to him, where I offered to meet not only with the hon. member but also with his constituent to see if we can't bring more clarity to this situation.

2:00

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

**Mr. Pham:** Thank you, Mr. Speaker. Given the fact that the minister's answers seem to indicate that my information is wrong, will the minister ask the CEO of WCB to resign if I can prove that he has tried to mislead the minister with the wrong information?

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

**Mr. Dunford:** Thank you, Mr. Speaker. One of the things that has taken place since I took over the mandate in 1999 was to work very diligently, in my view, toward enhancing the performance of WCB and bringing forward solid recommendations. Everyone here in the House is aware of two reports. We had what is called the Doerksen report, and we have what is called the Friedman report. As I recall, there were 59 recommendations that came out of those two reports. I believe that probably in the area of 54 to 55 of those recommendations were either accepted or certainly accepted in principle. As the minister responsible I, of course, always reserve the right to accept, reject, or modify recommendations, and I exercised that authority at that particular time on one or two of them.

I don't think that there's anyone here in Alberta that's had a recent situation with WCB as it relates to appeals that wouldn't agree that we've made substantial improvement in this particular area, and I think it's important that we leave this question with the thought in the minds of all of the members that we have made substantial improvement in this area, and certainly I will not be calling for the resignation of the chief executive officer.

#### Energy Conservation Initiatives

**Ms. Carlson:** Mr. Speaker, it is painfully obvious that the Minister of Energy doesn't have a clue about wise energy-efficient choices he could be pursuing on behalf of Albertans. Net metering means that small renewable power producers like wind and solar power can run excess capacity through their meters and their meters will spin backwards, which reduces their overall energy costs. A majority of U.S. states have this system, and so do Manitoba, Ontario, Nova Scotia, and the Yukon. To the Minister of Energy: why doesn't this minister realize that his government has to establish net metering rules before consumers can take advantage of this excellent system?

**Mr. Smith:** Well, Mr. Speaker, in nine years in the Assembly I'd just like to say that that's an interesting suggestion. If it isn't given in a spirit of sarcasm and criticalness, I'd be more than prepared to undertake that.

**Ms Carlson:** Mr. Speaker, my second question is to the Minister of Environment. Why doesn't this minister do his job by bringing forward good ideas like this, ensuring that the government not only knows about them but acts on them?

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

**Dr. Taylor:** Certainly, Mr. Speaker, and I'm very pleased to respond to that answer. The issue, as you know, is that we just recently have said that our green power purchases will be 90 percent by 2005 of all the power government uses. We are the lead government in this country in dealing with greenhouse gases and energy efficiency. So the government is clearly listening. The government is clearly taking action on ways to conserve energy.

**Ms Carlson:** Not nearly fast enough, Mr. Speaker.

To the Premier: when are we finally going to see this government commit to helping consumers bring their energy costs down through smart energy-efficient choices with a retrofit program like we suggest that introduces good concepts like net metering?

**Mr. Klein:** Mr. Speaker, the hon. member heard the Minister of Energy say quite clearly that it was a good idea – albeit it was put in a very sarcastic tone – and that he would take the idea under consideration.

Relative to steps this government takes to educate consumers about conservation efforts, Mr. Speaker, there are numerous programs sponsored both by the Department of Environment and by the Energy department. There's a wealth of information available through various government sources and programs to educate people about ways and means to conserve energy.

For the government's part, Mr. Speaker, I'm sure the hon. Minister of Infrastructure can respond. Numerous steps have been taken in various government buildings to achieve conservation measures, and the minister just recently announced that we're going to consume about 90 percent green power, power that is produced through wind or biomass or other means, and as the hon. Minister of Environment pointed out, this province is a leader in energy conservation and a leader in the reduction of greenhouse gases.

**The Speaker:** The hon. Member for Peace River, followed by the hon. Member for Edmonton-Riverview.

### Energy Marketing

**Mr. Friedel:** Thank you, Mr. Speaker. My questions are to the Minister of Energy. Recently we learned that a company called Direct Energy is applying for a licence to market electricity and natural gas and possibly other consumer services in Alberta. We have discussed for quite some time how essential market competition is to reducing cost for consumers, and I know that many people are looking for other supplier choices for reasons that we don't really have to go into anymore but are anxious to look at competitive options. I wonder if the minister could advise us how long it might be before Direct Energy is going to be able to market energy services in the province.

**Mrs. Forsyth:** That's a good question.

**Mr. Smith:** Well, it is a good question, Mr. Speaker, and I thank the Solicitor General for that opinion, and it's a good opinion because people across Alberta are looking for alternatives.

Direct Energy as well as others, Constellation Energy for example,

have shown some preliminary interest in the retail market. Of course, there are some 22 retailers involved in the wholesale market.

For the Member for Peace River: the process is that Direct Energy's entry into the marketplace, Mr. Speaker, is subject to the Alberta Energy and Utilities Board's approval of the company purchase of the retail energy business of ATCO Gas and ATCO Electric. There's been a very public offer, some \$130 million being tendered. The Alberta Energy and Utilities Board will follow a standard review process which allows consumer groups and other interested parties to actively participate before rendering a decision. This means public hearings, a transparent process, transcribed decisions, all in the public domain, and then after the EUB approval or disapproval a more precise date will be set for the new market entrant.

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

**Mr. Friedel:** Thanks, Mr. Speaker. The minister must have anticipated part of my second question. He covered the issues that the company must do before it has to operate. I wonder if the minister could tell us if anything is being done to entice other companies into retailing energy, particularly to consumers and small businesses in Alberta.

**Mr. Smith:** Well, Mr. Speaker, once again, very salient, very topical, and very important to small business, particularly those who use under 250,000 kilowatts per annum. That regulated rate option will be dropping off at the end of this year, and in fact independent business owners will start making contract decisions certainly in the next quarter and certainly over the next four to five months.

So in response to the Member for Peace River, I can say that the earliest we would see a licensing of Direct would be somewhere in mid-2003. Of course, I will be tabling for the benefit of all members at the appropriate time Direct Energy's advance advertising campaign titled More Energy Choices for Albertans and Direct Energy is Coming Home to Alberta.

### 2:10

### Medical School Tuition Fees

**Dr. Taft:** Mr. Speaker, in contradiction to statements made in this Assembly by the Minister of Learning, an April 2002 study in the *Canadian Medical Association Journal* found that differential tuition fees make medical school less accessible to low-income students. The number of medical students with a family income of less than \$40,000 declined 30 percent after tuition fees were jacked up for medical schools. To the Minister of Health and Wellness: given the urgent shortage of physicians, how can the minister accept a policy from his own government that discourages people from attending medical school?

**Mr. Mar:** Mr. Speaker, I am aware of the work that was done in the *Canadian Medical Association Journal* in relation to this, but to address the issue of the number of physicians in this province I can say that we've done a very, very good job. There have been a number of strategies. The first strategy, of course, is to make better use of the physicians that we currently have, so we've done that. We are continuing to work on a primary health care strategy that will make better use of the physicians that we presently have in the province of Alberta. There are nearly 6,000 physicians in this province. In the last two years we've been able to recruit a significant number more to this province. That is also part of our strategy. We have a net increase in the number of physicians of something in the magnitude of 11 percent more GPs, 14 percent more specialists

over the last two years, a total of somewhere in the magnitude of 600 new physicians in the last two years. The third part of our strategy is to increase the number who are enrolled in medical school, and we have in fact increased the number of seats not only in medical schools but in nursing schools, as well, throughout this province. There are now over 12,000 people training in postsecondary institutions in the province of Alberta for health care professions.

So, Mr. Speaker, we are doing a good job with respect to recruiting people, part of that recruitment effort, I'm advised by Dr. Clayne Steed and Dr. Bob Hollinshead and Dr. Steven Chambers, all presidents or past presidents of the AMA. Our current contract with physicians has allowed us to be effective in our recruiting efforts. We have increased the number that we train in our own schools, and we are making better use of the doctors that we presently have.

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

**Dr. Oberg:** Thank you very much, Mr. Speaker. I'm sure that the hon. member just made a little bit of an inadvertent oversight. He must realize that the study that I was citing was actually on law from the University of Toronto, not on medicine.

**Dr. Taft:** He never made that clear.

To the Minister of Learning. At least one minister is aware of the effect of differential tuition fees. Given that the U of A medical school has not had enough applicants to even come close to filling its vacancies for training in family medicine, will the government reverse the differential tuition policy for medical students?

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

**Dr. Oberg:** Well, thank you, Mr. Speaker. Once again the hon. member has a little bit of an error in the facts. Obviously, in family residency, which is after the medicine program, this is the first year in history, I believe, that family medicine in Edmonton was not matched 100 percent completely. This is not an uncommon procedure. What subsequently happens is that it goes through a second round of the match. This often happens in different faculties, and indeed when I was in the faculty of medicine, what happened was internal medicine at the University of Alberta was not matched and had to go through the second match. So this has absolutely nothing to do with differential tuition. In the residents program they actually get paid to go to school.

**Dr. Taft:** To the Minister of Health and Wellness: will the minister admit that the already poor access for the public to family physicians is only going to get worse as a result of differential tuition fees?

**Mr. Mar:** Mr. Speaker, the answer is no.

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

### Education Funding (continued)

**Mr. Lukaszuk:** Thank you, Mr. Speaker. Many constituents and some parents have contacted me with concerns relevant to the budgeting process in Edmonton public schools. I've heard that some EPSB principals are now telling teachers that a number of teachers will be laid off at the end of this school year. To the Minister of Learning: does Edmonton public school board right now have the budgeting information available to them for the year 2003-2004 to be able to tell teachers that they will be laid off?

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

**Dr. Oberg:** Well, thank you very much, Mr. Speaker. I will reiterate a little bit in that I did talk to the superintendent of Edmonton public school board this morning and raised this exact issue with him. He said that they do not have the information to finalize their budget. I quoted part of the response that he had sent out on March 21, 2003, and if I may, I'll quote the rest:

The ATA local has notified the district that teachers are calling them indicating that they have been identified for transfer. This action is precipitous as district Staffing Procedures – Spring and Fall 2003 have not yet been released.

It is too early for the schools to be finalizing their budget, and as I said in an answer to a previous question, the actual budget for Edmonton public is not due to be received by my department until June 30 of this year.

The other very interesting point, Mr. Speaker, is that the AISI funds, the Alberta initiative for school improvement, which amounts to close to \$9 million in the city of Edmonton and in Edmonton public, has not yet been divvied out to their schools, so they have no way of knowing exactly how many dollars are available to them for staffing for next year.

**Mr. Lukaszuk:** Mr. Speaker, the minister should also know that there is a great deal of concern that school improvement programs such as reading recovery may be cut away. Have those funds been withdrawn from the Edmonton public school board?

**Dr. Oberg:** Mr. Speaker, this is a very interesting question. Back in November of this year at the annual Alberta School Board convention I made the commitment to continue funding AISI, Alberta initiative for school improvement, for the next three years. I, too, have had questions from the general public about whether this excellent initiative will be continued, and the answer is, as I stated in November of this year, absolutely yes. It will be continued. What has happened is that Edmonton public has not renewed yet their new programs for the next three years, and in talking to the superintendent this morning, it seems that that will occur either at the end of this week or the first part of next week.

Mr. Speaker, we're talking about \$9 million here, \$9 million that is being given to Edmonton public to improve their schools, the initiative for school improvement, so that is quite substantial. I will say that the reading recovery program is one of those programs that fell under that funding. Hopefully Edmonton public will be notifying their teachers very soon.

**Mr. Lukaszuk:** Mr. Speaker, given that the minister is telling us that the audit of the Edmonton public school board may be taking longer than anticipated and the actual deficit is unknown, will the minister commit to us today and tell us whether he will allow Edmonton public school board to defer the pay-down of the deficit over a prolonged period of time?

**Dr. Oberg:** Mr. Speaker, there are a couple of things there. First of all, I would like to see that there be no deficit, and that's the condition that we are working towards. It's my understanding that there still may be a deficit.

In direct answer to the hon. member's question: yes, we will allow them to defer it over the next three years. The key component to this, Mr. Speaker, is that they will need to pay it back. We do not want Edmonton public penalized with three or four months left to go in the fiscal year for them, but they will be paying it back. But I will reiterate that I hope there is no deficit at all.

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

### Life Lease Properties

**Ms Blakeman:** Thank you. Seniors in this province now have life leases as an increasingly popular option for meeting their housing needs, whereby the tenant provides a loan to a builder for a condominium complex and lives in a suite for a relatively low fee. My questions today are to the Minister of Government Services. Has the minister done any studies of life leases or had any discussion with the Minister of Seniors about the deficiency in legislation since I raised this issue last May?

2:20

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

**Mr. Coutts:** Thank you very much, Mr. Speaker. Life leases – the hon. member is absolutely right – are an emerging sort of market or housing option for Canadians who are 55 and older. These are people who wish to move into a managed housing situation and into complexes that would offer sustainable living arrangements for the rest of their lives. Presently there is no legislation in Alberta that sets out any kind of provisions for life leases. At this point in time we've had approximately 20 to 24 inquiries into our call centre about life leases, most of those people just wanting to know some kind of information about life leases, so at this present time we don't think that there's a big concern in terms of life leases.

**Ms Blakeman:** Can I confirm, then, that the minister will not consider implementing any kind of legislation or programming around life leases?

**Mr. Coutts:** Mr. Speaker, I can tell the hon. member that we are monitoring the life lease situation, and if we find that there is a need for legislation, we will certainly go out and do what this government has always done: take a look at the people and the stakeholders that are involved, do a consultation, and bring forward the kinds of legislation that are required, only if it's required.

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

**Ms Blakeman:** Thanks. Well, given that this government was willing to enact consumer protection legislation on travel clubs, why is the minister dragging his feet on protecting seniors with legislation for life lease?

**Mr. Coutts:** Mr. Speaker, as I just mentioned in the last answer, if there is a need, we will do the consultation that is necessary. We will go out and we will look at the potential for any kind of legislation that would protect customers. But one of the most important things is that we're already monitoring this, and we've only had, as I said, 20 some odd inquiries into our office. If there is a need, we will certainly look at it.

I can only say one thing, Mr. Speaker. Consumers out there, when they're buying a piece of property and doing every single solitary transaction, should maybe take a look at getting a lawyer, take a look at it and get advice from a lawyer before they make that transaction.

**The Speaker:** Hon. Member for Edmonton-Highlands, I gather you're going to continue the discussion with the Minister of Economic Development now.

**Mr. Mason:** No. May I ask my question, Mr. Speaker?

**The Speaker:** Please. I just assumed that it would be to the Minister of Economic Development to continue the conversation.

### Charter Schools

**Mr. Mason:** Thank you, Mr. Speaker. Parent groups in Calgary are very upset about the announced closure of five public schools in their city. To add insult to their injury, in the very same week that these closures were being announced by the Calgary board of education, the Minister of Learning announced the approval of a new charter school called the Calgary Arts Academy. To the Minister of Learning: can the minister confirm that this new charter school will likely be located in one of the schools closed by the Calgary board of education?

**Dr. Oberg:** Mr. Speaker, I cannot confirm that as what we have done at this moment is just confirmed the charter and agreed to the charter. It could well be that through negotiations with Calgary public this charter school does end up in one of the former public schools. What really needs to be reiterated here is that charter schools are public schools.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, I differ with the minister on that point.

Since the Calgary Arts Academy charter school will recruit its students from existing public schools, how can the minister justify approving a new charter school when he knows it will decrease the utilization rate of schools run by the Calgary board of education?

**Dr. Oberg:** Mr. Speaker, there are two points that I'll answer to that. First of all, I'll say it again: charter schools are public schools. Anyone who wants to go to the charter school can. They receive full public funding. The second point is that it's because parents want it.

**The Speaker:** The hon. minister to supplement.

**Mr. Lund:** Mr. Speaker, on the issue about utilization and the charter schools the fact is that if the charter school is in a school that has been closed by the public system, the square footage of that school is taken out of the calculation, so it doesn't even figure into it. What we are suggesting to the Calgary board of education is that in fact maybe a charter school could cohabitate with a public school, and the ratio of the area taken up by the charter school would then be pulled out of the total footage for the public system. So it's an advantage, not a disadvantage.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. Will the minister admit that the projected 300 students of the Calgary Arts Academy charter school will be recruited directly from the public system, or does he think these students will just materialize out of thin air?

**Dr. Oberg:** Mr. Speaker, once again I will reiterate that the charter school is the public system. It is directly responsible to me as the minister. It is fully public. Anyone can go to the charter system. As a matter of fact, the policy of exclusion is something that cannot be tolerated in a charter school. They must include everyone who wishes to come to that. This particular charter school has decided to get into more arts students, get into more performing arts students,

and they have canvassed their school parents. They've talked to their parents and indeed have come forward.

Mr. Speaker, the other point that I want to make is that this is the second charter school in the last little while that has been approved. We do have another one on the way, which is going to be there immediately. The one that was approved, just on the outskirts of Edmonton, actually had to do with aboriginal children and should be very exciting. We also have one more that is under way, which is looking at a good way to deal with small schools and rural education. You can actually imagine that they would tailor their school year around the different seasons that occur in the agricultural community. So a lot of good stuff happening in this system, and charter schools is but one of the stories.

**The Speaker:** The hon. minister to supplement.

**Mr. Lund:** Well, Mr. Speaker, underutilization has been a problem with some of the bigger boards. The fact is that with charter schools and the way that we treat those as public schools, some of those students come from home schooling. Some of them come from independent schools. So, in fact, there are students coming into the system instead of just drawing from the public, as seemed to be indicated by the member.

head: **Members' Statements**

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

#### **Heritage Scholarship Recipients from Edmonton-Whitemud**

**Mr. McClelland:** Thank you very much, Mr. Speaker. It's a privilege indeed to be able to rise and speak on behalf of another member, and I do so today on behalf of the member representing Edmonton-Whitemud. It's perhaps apropos, because I have this opportunity, then to say kind things about Edmonton-Whitemud and about the students of Edmonton-Whitemud who are represented through the various scholarships. Members would be interested to know that of all the constituencies in Alberta, Edmonton-Whitemud ranks as number one – number one – for the number of scholarships: 611 in one constituency, that being Edmonton-Whitemud.

The total dollars involved are \$998,700. They break out this way: the Alexander Rutherford Scholarship, 323, for a total of \$661,200. Now, the Alexander Rutherford scholarships, as members know, are awarded on the basis of achieving an 80 percent average in five designated subjects in grades 10, 11, and 12. There are also the Louise McKinney scholarships for \$82,500, and this is for advanced education, and the Jason Lang undergraduate scholarships, 255, for \$255,000. They are the scholarships for students achieving an average equivalent to 80 percent in the first year of any undergraduate program of at least two years, and they will automatically get a \$1,000 scholarship.

2:30

Members, there is one other scholarship available. That's the Michael Luchkovich scholarship, part of the Alberta heritage scholarship fund, and that offers financial support to Albertans who have demonstrated outstanding ability in their work and are interested in pursuing short-term or part-time career-focused learning.

So, members, it's obvious that the province of Alberta through its various scholarship opportunities does recognize achievement, achievement of the students, but I think particularly when education is so much on our minds, education of the system as a whole, education including the teachers who make their contribution to make it work.

We also have our responsibility and contributions. So I recognize the Member for Edmonton-Whitemud, whom I know to work tirelessly with teachers, with the trustees, with those involved in education to improve the system, and I particularly recognize and congratulate on behalf of the Member for Edmonton-Whitemud those scholarship recipients in Edmonton-Whitemud.

Thank you.

#### **Earned Income Tax Credit**

**Mr. Lord:** Mr. Speaker, I have many low-income constituents in Calgary-Currie, and I am continually being asked: why doesn't the government just raise the minimum wage? If only it were that simple. It seems like such an easy idea for alleviating poverty, and it is hard to have to explain that raising the minimum wage at best would do almost nothing and, in fact, may actually make things worse. People don't know about the other side of the equation, which is poverty rates among small business owners who have to pay those wages, and that's because poverty rates among small business owners is probably the greatest unstudied and unrecognized problem area of our economy. It's as if no one wants to know about it.

The facts are that many if not the majority of small business owners are actually earning below poverty lines themselves. Average employers earn less than average employees in Canada, and with 95 percent of all businesses being small businesses, this means that raising the minimum wage translates directly into job losses and just increases the already high failure rate of small businesses since costs are up but revenues are not. I do not believe it to be a coincidence at all that the province with the lowest minimum wage has the best economy. Capitalism seems harsh in the short term, but it sure works in the long term.

I would like to suggest a new idea, however. It's called the earned income tax credit, also known as the incentive to work program. It is an idea that is credited with lifting millions of people in the United States out of poverty. It also works. It has political support from the left and from the right. Essentially, it involves not clawing back any income or creating other disincentives to work for people currently on social assistance, as our system tends to do. It encourages people who can work to do so and even tops up their paycheques by reversing the flow of money through the tax system, targeting low-income individuals directly, provided that they are working.

On behalf of my constituents, I hope we can look at this idea soon, Mr. Speaker, as it might provide a real solution. Thank you.

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

#### **Red Deer College Kings Volleyball Team**

**Mrs. Jablonski:** Thank you. Mr. Speaker, the Red Deer College Kings volleyball team has defeated some of the best university teams in Canada and the United States. Last week in Oshawa, Ontario, they won the Canadian National College of volleyball championship. But more sensational than that, the Red Deer College Kings volleyball team has won the national championship not once, not twice, not three times, but unbelievably they have won four consecutive national championships.

**An Hon. Member:** How many?

**Mrs. Jablonski:** Four consecutive.

This year's team may be the closest a coach would ever get to having a perfect team, with an excellent line of athletes including three players who were starters on the Canadian national junior team. Coach Keith Hansen was able to lead this team beyond being simply



the best to being magnificent. Each member demonstrated their superior skills by playing their roles, supporting each other, proving their mental toughness, and together made each other better, a team every coach dreams of.

Congratulations to these Red Deer College national volleyball champions: Nicholas Cundy, Adam Sillery, Robert Ellis, Aaron Schulha, Marcel Beatch, Samuel Foon, Brock Davidiuk, Jordan Turner, Seth Schalk, Adam Roth, Blake Henwood, Craig Marshall, Mac Kucharski, and Dallas Soonias. Congratulations to their head coach, Keith Hansen, who was chosen as the national collegiate coach of the year, and to assistant coaches Trevor Pikkert, Kevin Tennant, and Lee Tippman and also to their athletic therapists Heather Fletcher, Terry Smyth, and Melanie Tuck-Hoppins. All of Alberta congratulates you on your outstanding performance.

#### **Tribute to Members of the Armed Forces**

**Mr. Bonner:** Mr. Speaker, as communities and nations around the world move towards forming unions, this government talks of separation. Much has been made about the economic costs of separation: how Alberta's trade will be affected, what businesses leave Alberta, what currency we would use. But little has been said about the cost we've already paid to be a part of Canada, about the men and woman from Alberta who have given their lives in service to this country.

In the rotunda of this Legislature hang the colours of various military regiments who have called Alberta home. These regiments represent the army, navy, and air force. The members of these regiments fought, and many gave their lives. From the First World War to the current operations against terrorism over 116,000 Canadians gave their lives in service to their country. Many of those were Albertans. A high price has been paid for our country, and there is no guarantee that we won't continue to pay that price with the lives of honourable men and women from throughout this province. Many of the approximately 5,000 military personnel from the Edmonton Garrison are currently serving in dangerous locations around the world.

This government almost seems to enjoy raising the spectre of separation. In fact, many political pundits claim the government uses talk of separation as a smokescreen to distract from the real issues. I hope that isn't true, Mr. Speaker. I hope that isn't true because that would denigrate the sacrifice that thousands of Albertans have made to our country.

As MLAs leave the Legislature today, I would urge them to look up at the names etched on the memorial plaques all around the rotunda, and when talk of separation comes up, think. Think about the names on those plaques. Think about the men and women who loved this country and died for it. Think of the price that generations of Albertans have paid in blood for this country. It is a price we must never forget.

Mr. Speaker, I will close with the words of former Member of Parliament for Calgary East, George H. Ross. These words are from a letter to Mrs. P. Quinlan on the death of her son Dennis, who was killed in action on August 17, 1942: "We can still resolve to do all in our power to insure that these young lives so gallantly given for the cause of freedom and justice shall not have been sacrificed in vain."

Thank you very much.

#### **head: Presenting Petitions**

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

**Dr. Pannu:** Thank you, Mr. Speaker. On behalf of the working poor

of Alberta I'm presenting a petition signed by yet more Calgarians, 53 of them in this case. These Albertans are petitioning the Legislative Assembly to urge the government to immediately raise the minimum wage to \$8.50 per hour and index it to the cost of living.

Thank you, Mr. Speaker.

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

**Mr. MacDonald:** Thank you, Mr. Speaker. I have a petition on behalf of 42 Calgarians. This petition has been organized again by Joanne Black. The citizens are urging the government of Alberta to "implement the income recommendations of the 2001 MLA Committee Low Income Programs Review."

Thank you.

#### **head: Tabling Returns and Reports**

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

**Mr. Cernaiko:** Thank you, Mr. Speaker. This afternoon I'd like to table the required number of copies of 38 letters from residents of the Edmonton area supporting Bill 206, the Traffic Safety (Seizure of Vehicles in Prostitution Related Offences) Amendment Act, 2003. I think it's important to note the addresses of these letters. Residents from neighbourhoods including Petrolia, Mill Woods, Sherwood Park, and Norwood all believe that there's a need to address the pressures and rebuild communities battling street prostitution in the inner city.

Thank you, Mr. Speaker.

2:40

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

**Dr. Pannu:** Thank you, Mr. Speaker. I rise to table a letter that I received from a constituent, Mrs. Kelly Collins, dated March 17. Mrs. Collins expresses a serious concern about the ongoing underfunding of the public education system, underfunding that's made worse by the government's refusal to pick up the costs of the arbitrated salary settlement that it imposed on school boards.

Thank you, Mr. Speaker.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I have one tabling today. It is a letter from the World Lebanese Cultural Union, Edmonton chapter, dated March 23, 2003. It is expressing their dismay and shock regarding the Premier's support of war against the people of Iraq. As Albertans they do expect the Premier to work for peace before anything else.

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

**Mr. MacDonald:** Thank you, Mr. Speaker. I have four tablings today. The first one is five copies of an amendment I had proposed to make Bill 3, the Electric Utilities Act, in my view, better.

The second tabling I have this afternoon is a ballot from the German elections to provide two selections: persons from a particular party and a party which will determine the distribution of seats for the different parties. This is from an interested Albertan who lives in Edmonton-Gold Bar, Mr. Henry Vermeulen, and I would urge all hon. members to have a look at this.

My third tabling is a letter addressed to the hon. Premier. It is dated February 25, and it is signed by Deborah Maidens. Deborah is expressing an opinion that "our public education system is currently grossly underfunded."

The fourth tabling I have this afternoon, Mr. Speaker, is also from a resident of Edmonton-Gold Bar, Betty Tetterington, and it is addressed to the hon. Premier. Ms Tetterington is expressing the strong opinion about the lack of funding for public education in the school that her children attend.

Thank you.

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

**Dr. Taft:** Thank you, Mr. Speaker. I have quite a number of tablings today, all relating to education. The first one is a copy of a letter addressed to me from a constituent, Maureen Santin, who says that “educating our own children will be our best insurance for the future of our province and its resources.”

The second is a letter from the same person, a completely different letter to the Premier, saying among many things, “Please supply the funds to ensure a strong education system for our children.”

The next tabling is correspondence to the Premier and the Minister of Learning: “I am writing because I am concerned about the cutbacks to our public education system.” It’s from a Susan Hannon.

The next one is a letter to the Premier and the Minister of Learning from a Janet Haley Sperling saying among many things that “it will be increasingly more difficult to keep Albertans [in Alberta] if the public school system remains in crisis.”

The next correspondence is from Elizabeth Anne Hayward to the Premier and says among many things that “a good public education system where rich and poor are given the same educational opportunity is the premise of a good and just society.”

The next correspondence is from Elizabeth Hendricksen to the Premier and the Minister of Learning saying among many things: “I am concerned about the current situation regarding the funding of public schools in Edmonton.”

Next is a letter from Marie Bergeron to the Premier and the Minister of Learning saying, “The Government is being disingenuous when it ordered binding arbitration but refused to step up to the plate and fund the result of that settlement.”

The next is a letter addressed to me from a Kathy Pontus expressing her concern about school funding. She has two children in Edmonton public schools.

Next is a postcard to the Premier and to Dr. Oberg, and on it is a drawing of “Edmonton Elementary attempts to smash the world record for number of Grade One Students in the classroom.”

The next is correspondence as a postcard from Monika Koch saying: it is an outrage that the government is not funding the arbitrated settlement for the teachers’ salaries.”

Next is from Shirley Dobrofsky, a postcard that says, “Fully funded high quality public education now.”

Next is a postcard from S. Samuels saying, “Wanted: A government that listens and cares, previous applicants need not apply.” It’s expressing concern over education funding.

Next is another postcard that is in the form of a report card giving the provincial government an F for listening, saying, “Easily distracted, only able to listen in an election year.”

The next is a postcard – I only have a handful left – from Karen Ferrari, saying: the current state of funding is unacceptable; losing teachers and large class sizes are not options in my child’s education.

Next is a postcard saying: I would really appreciate a fully funded education system as a way of building the future. It’s from a Mercy Kigunda.

Next is a postcard saying: we live in the richest province in the country; a teacher’s assistant and teacher librarian should not be a luxury.

Finally, Mr. Speaker, a postcard saying: our public education system is approaching a crisis level; let’s not get that far.

Thank you very much, Mr. Speaker.

**The Speaker:** Before I recognize the hon. Member for Edmonton-Glengarry in tablings, I just want to point out to the hon. Member for Edmonton-Riverview now, for the seventh time in the last four days, we do not use the names of members in this House.

**Dr. Taft:** I wasn’t aware that I did.

**The Speaker:** Well, you might want to read the Blues.

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

**The Speaker:** A point of order after the hon. Member for Edmonton-Glengarry.

**Mr. Bonner:** Thank you, Mr. Speaker. With your permission I would like to table a document that was forwarded to me from the World Lebanese Cultural Union, Edmonton chapter. The subject was comments made by the Premier, and in this document they go on to say:

We the World Lebanese Cultural Union Society in Edmonton, and along with over 70,000 other Arabs and Muslims were shocked and utterly dismayed at your recent comments and support for this illegal and immoral war against the innocent people of Iraq.

It goes on to outline:

We believe that the war in Iraq today [is] not a war against terrorism to be supported, it’s a war for oil and domination. Albertans along with millions of Canadians and billions around the world want peace more than anything else. Throughout the history, Canada supported peace and talked for peace, deeply believing that a peaceful world is a prosperous world.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Minister of Energy on tablings.

**Mr. Smith:** Yes, Mr. Speaker. Thank you. Further to my comment in question period I wish to table today the appropriate number of copies of a brochure entitled Direct Energy is Coming Home to Alberta. In it Direct Energy speaks of coming home to Albertans. They say in there, “Alberta Has Done it Right.”

Alberta’s political leaders and regulators have developed a plan to introduce retail energy competition to the province . . . One element in Alberta’s success has been the abundant supply of electric power and the fact that significant supply has been added since deregulation in January 2001.

Mr. Speaker, I also wish to table a brochure entitled “ATCO Delivers . . . more energy choices for Albertans, introducing Direct Energy.”

Mr. Speaker, I do wish to also table copies from a web site that shows a man with band-aids around his nose and a nose-hair cutter that doesn’t seem to work very well with the phrase “Impulse shopping never works out. So wait for Direct Energy before rushing into an energy contract.”

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Highlands on a point of order.

**Point of Order**

**Clarification**

**Mr. Mason:** Yes, please, Mr. Speaker. I’m raising a point under our

Standing Orders 23(h) and (i). Specifically, the Premier again claimed that I had at some point been a member of the board of EPCOR. Now, I would appreciate some guidance from you on this. I don't particularly feel insulted that someone would think I'd been on the board of EPCOR, but I've corrected the Premier and I've corrected the Minister of Energy in this House on a number of occasions. They know that this is not correct, and they keep repeating it. So I think that it's a violation of (h) and (i), but I would request your guidance on how to proceed in this matter.

Thank you.

2:50

**The Speaker:** The hon. Deputy Government House Leader on this point of order.

**Mr. Stevens:** Thank you, Mr. Speaker. I obviously don't have the benefit of the exact words which were used in this exchange; however, I was listening carefully at the time. What I heard being said was that the hon. member opposite who complains was an alderman with the city of Edmonton, which is a shareholder of a utility, at least at that point in time, here in the city of Edmonton. It seems to me, as the hon. member says, that's not a matter for a complaint. I think that the words simply are accurate, and perhaps it's a matter that this hon. member reads more into the powerful words of English, which can be sometimes taken as meaning different things, depending on where you sit when you hear them, but from my perspective the words were quite appropriate.

**The Speaker:** Let me just quote the last couple of lines from the Blues with respect to the response by the leader of the government, and I'll pick up the quote midway through the response:

It offers a choice unlike the socialistic regulated environment that the Liberals so much enjoyed, where the consumers had absolutely no choice whatsoever, and the NDs, I might add – and one of their representatives, of course, was a member of that totally regulated corporation that begged to be unregulated.

So on the face of it there's no mention of any of the firms or anything else that was brought up by the hon. Member for Edmonton-Highlands.

One thing is very, very clear. The use of words which can provoke debate, words like scandalous and all kinds of other things, may or may not be words without definition at a particular time. They can, depending on who the receiver is and the tone of it and everything else, provoke debate. So there's absolutely no doubt in my mind that it can elicit responses as well.

In order to have a legitimate point of order, there would have to be something that would actually hit home, and in the words that were used in here, to the hon. member who might take offence, as I sit in the chair on a day-in, day-out basis, there are quite a few words that I suspect a lot of members would take offence to. Heck, it's only Tuesday. It's still March. We've got a long way to go. Let's just thicken up the skin a little and see where we go with it.

The hon. Government House Leader on a point of order.

### Point of Order Tabling Documents

**Mr. Hancock:** Yes. Thank you, Mr. Speaker. I'm rising pursuant to section 13(1) of our Standing Orders, which allows the Speaker to make a ruling or interpretation with respect to general matters before the House which aren't completely covered, and I'm rising with respect to the question of tablings in the House, the rules of the House particularly with respect to the actions of the Member for Edmonton-Riverview today in tabling his filing cabinet, but in previous days the Member for Edmonton-Highlands also saw fit to clean out his drawers for the benefit of the House.

Now, I do not object to people putting documents on the record of the House. I mean, obviously that is something that has been ruled on previously, and our rules for tablings are very broad in this House. It might be interesting to go back through the history of tablings, looking through *Erskine May* and some of the other reference tomes that we operate by where, really, tablings were initially the concept of tabling documents which were government documents for the public record. We've gone far beyond that and quite appropriately so, in my view, so that we can table other documents of interest, and in some cases, as I understand it, in the past even a hamburger has been tabled.

But, Mr. Speaker, when tabling documents, we also have a process in this House that has worked in the past very well for all members of the House where in tabling a document one might give the title of the document, the date of the document, if it's a letter, the to and from and a brief description of its content, and I'm not alleging that any of those were violated. However, I think it's appropriate, given what we've seen in the last week or two with extensive tablings of a number of letters all on the same subject, to put into the context of our rules what has I think been the practice in the past, where if one has a number of documents on the same subject, they ought to be tabled together. They do not need to be referred to individually and successively because that will prolong the process of tabling.

Now, we have put in place a mechanism where people can table documents with the Clerk prior to 11 o'clock, and those documents will be put on the record of the House and read into the record of the House in terms of the title, which is the appropriate way of tabling by the Clerk, but we have not changed the rules so as not to allow tablings in the House because members do want to be able to stand up in the House – from time to time even I might want to stand up and table with the House documents that a constituent has brought forward and specially requested be brought to the attention of the House. That's entirely appropriate.

Mr. Speaker, I would request your ruling under section 13(1) with respect to tablings because otherwise we'll see this get completely out of hand. Where it's appropriate, when you're tabling documents, particularly letters, all of which are on the same topic, they ought to be tabled together as a bundle and need not be individually read into the record.

**The Speaker:** Well, I would like to hear from the House leaders with respect to this matter because I intend on saying something. Now, the hon. Member from Edmonton-Riverview is not a House leader.

**Dr. Taft:** A point of order.

**The Speaker:** No. There's no point of order against you, sir, but I will hear from the hon. Member for Edmonton-Riverview if he wants to participate on this point, because there's history behind this. Go ahead.

**Dr. Taft:** Thank you, Mr. Speaker. I do appreciate that. I was in no way trying to abuse the privileges here. I understand the frustration of long periods of tablings. However, I am responding specifically to the requests of constituents who want to see their correspondence tabled in the Legislature and treated with respect. They want to ensure that their specific correspondence was presented.

Frankly, I am getting a huge volume of materials which people are asking to be tabled in the Legislature not only on education but also on the war in Iraq. I see no other option but bringing those voices to the Legislature when my constituents or other Albertans ask me to do so. We have taken the step of moving the tablings to the end

of the daily Routine so that it doesn't hold other things up, which I think was a wise step. I have made no habit whatsoever of going on with long tablings. I am simply responding to the demands of the citizens of this province.

**The Speaker:** The hon. Member for Edmonton-Highlands on this point of order.

**Mr. Mason:** Thank you very much, Mr. Speaker. Before I make my point on this, I wonder if the Government House Leader has a citation with respect to tabling other than 13(1).

**The Speaker:** The Government House Leader did provide a citation. Please proceed.

**Mr. Mason:** Well, Mr. Speaker, the only one that I heard was 13(1).

**An Hon. Member:** Oh, challenging the Speaker.

**Mr. Mason:** No.

That says "the Speaker shall preserve order and decorum and shall decide questions of order." That is, of course, the most broad power of the Speaker and doesn't pertain specifically to the matter of tablings, and it's clear that the orderly tabling of documents in this Assembly does not violate either the order of this place or the decorum.

I would concur with the hon. Member for Edmonton-Riverview that at certain times on certain issues constituents and others provide quite a large volume of correspondence to our offices, and it's our practice to try and bring them forward when that occurs. It is by no means an even amount of documents that we receive. It entirely depends on what the issue is at the time and how strongly people feel about it.

**The Speaker:** At the outset there is no point of order. We have rules in this Assembly which are very, very clear. There is a provision provided on the Routine for tablings, Tabling Returns and Reports.

Now, I'm going to make some comments though, and I'm going to make these comments from the current position that I hold as the chair. I'm also going to make some comments with respect to a previous position that I did hold once in the past as Government House Leader and also comments with respect to the role that I would think members would want to play in a parliamentary, democratic sense. We use wit here, we use our mind here, we use tradition here, we use the rules here, and we work within that environment. We do not use guns here, we do not use grenades here, we do not have airplanes here, we do not have helicopters or gunships, and we don't use submarines or warships. So we use what we have here.

3:00

Now, we have rules that we make. We have rules called Standing Orders, and we've made these rules, and quite clearly we have decided in this Assembly that we would go on what is normally the practice in most other parliaments anywhere that follow the British model. In virtually every other parliament that follows the British model, they have sections, and we have a section that we can quote from *Beauchesne* with respect to the tabling of documents. It's cited in section 347. This is the only paragraph in this whole big book which deals with the tabling of documents, and here's what it says:

There are, under Standing Order 32, two methods by which the government may table documents in the House. The first which is by direct deposit with the Clerk of the House means that the document is being tabled in accordance with an Act of Parliament

or in pursuance of a standing order or resolution of the House. The second method is more directly applicable to the Daily Order of Business of the House in that a Minister or Parliamentary Secretary acting on behalf of a Minister may table documents dealing with matters coming within the administrative responsibilities of the Government.

In virtually every other parliament that follows the British form, the only individuals who can table documents are ministers of the Crown where there is a statutory requirement for the tabling of a document, and that is the norm.

In the past in this Assembly, as a result of discussion among House leaders – in this case the Government House Leader, the Official Opposition House Leader, third party House leader – these matters have been discussed. The conclusion was that in this Assembly of Alberta there would be a provision to allow members to table documents. That proceeded for a period of time. Then we evolved to, the last time we reviewed the Standing Orders, that we would move that section later down in the Routine so it would be the last item, called Tabling Returns and Reports. Since that time, of course, you've had not only reports that are published. We went to telegrams to be tabled, then we went to fax messages to be tabled, then we got letters not only addressed to us but addressed to other people that we're tabling, and of course now we're into the e-mail business of tablings.

So here's what I think is going to happen one of these days: the ultimate filibuster is going to take place in this Assembly. We will arrive here at quarter to 3, at the conclusion of the question period, and when a time order is up to get something done, some debate done or something that has to be done by a certain time that day, hon. members are going to table 7,000-plus documents. We're going to be here at 5:30 on that day, and there is not a thing that anyone will be able to do about it because it's clearly within our rules and it's clearly within what we agreed to allow to happen.

So let me repeat: there's no point of order. But I am going to invite the three House leaders to revisit this issue, and I will invite them to co-operatively look at this portion of the Routine because it can work two ways. The sword in this case is double-edged, and it can cut both ways. The opposition may filibuster, or private members on the government side may filibuster. It's not necessarily the opposition that would do this. It could be 10 government members that don't like a bill presented by the government that has to be done on a certain afternoon, and the 10 just decide: this is the way we're doing it; we're tabling 7,000 or 10,000, and that deals with it. Or, worse yet, on a Monday, on a private members' business day on a Monday, a private member who has the right to present a bill comes here, and a group of members decides: well, let's not deal with this, but here's the way we can go about doing it. So the sword cuts all ways, hon. members.

So I'm going to invite the three House leaders to some time – there's no time requirement on this – basically look at this because everybody has something to benefit from a judicious approach in this regard and everyone also has something to lose if it's not done intelligently and it's not done carefully. I repeat: we make our decisions here by way of the usage of our minds to try and find the most workable solution for everybody so that we can advance the progress of democracy. I just implore that and would ask that again, and I repeat: there's no point of order here.

The members who are filing clearly have the right to do that, but I'm going to ask that there be a shortage of the verbiage that goes with the description in the future simply because it probably is not the best use of the time in the House. But that message will apply both ways: to ministers who want to give editorial comment with respect to the document that they're tabling, to other members who

want to give editorial comment with respect to the document that they're tabling.

The bottom line is that the three House leaders are going to be invited to look at this further to basically see if we can find a more rational and harmonious approach with respect to this. I do believe that's where we end with these points of order.

Now we're going to go to Orders of the Day.

head: **Orders of the Day**

head: **Government Bills and Orders**

head: Third Reading

### Bill 27

#### Labour Relations (Regional Health Authorities Restructuring) Amendment Act, 2003

**The Speaker:** The hon. Minister of Human Resources and Employment.

**Mr. Dunford:** Yes. Thank you very much, Mr. Speaker. I would like on behalf of the government to move third reading of Bill 27, the Labour Relations (Regional Health Authorities Restructuring) Amendment Act, 2003.

Once again pointing out that it is an unusual title and refers specifically to regional health authorities' restructuring will refer specifically to the fact that there are identifiable regional health authorities and that this will put in place a system of transition so that at the end of the process we will end up with nine regional health authorities, four bargaining certificates in each of those nine regional health authorities, and of course then there will be one collective agreement that will go with each of those collective bargaining units. So we would expect and forecast that at the end of this process – and I believe it to be some time in the April to September of 2004 time frame – we will have 36 collective agreements in this province rather than over 400 and that we will have a health system that is headed for and will achieve a quality and a timely and accessible health system, that all Albertans wish and desire.

Thank you.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. I'm glad to get a chance to speak one more time in third reading of Bill 27, the Labour Relations (Regional Health Authorities Restructuring) Amendment Act, 2003. In third reading my understanding is that we are contemplating the effect of the bill.

One of the leftover things from Committee of the Whole that I wanted to raise again with the minister was that we have received confirmation from the Minister of Energy that following on the excellent example of publishing the anticipated regulations for Bill 19, he agreed last night that he would make available the anticipated regulations for Bill 3. I also asked that same question of the Minister of Human Resources and Employment, if he would make available, publish on a web site, for example, the anticipated regulations for Bill 27. I have quickly reviewed the *Hansard* for his comments last night, and I do not see him commenting on that. So I will ask that one more time: to please ask the minister to publish those proposed regulations so that members of the unions, workers that are unionized, other workers, citizens, MLAs, staff, other stakeholder groups can all have an opportunity to review these regulations since they are such an integral part of this legislation that's being proposed.

As the government has pointed out, this is in fact enabling

legislation where it sets out a context and all of the detail is to come at a later date through the regulations. Therefore, it's important that people see and understand these regulations. To say to us, "Please pass this bill," or "Please support this bill," when in fact the content of the bill is really contained in the regulations, which are not available, is asking me, I think, as a member of this Legislature to be irresponsible, and I am passing something that I can't look at and I can't contemplate, nor can I seek opinion, concerns, or accolades from my constituents on this issue. Once again I ask that the minister do publish these regulations. I know that he has another opportunity to speak to this bill, and I hope that when he does, in closing off this debate, he will in fact announce that he's doing that.

3:10

[Mr. Shariff in the chair]

What I've heard the government say is that this bill came about as a request from an employer, that being the regional health authorities, and in fact the regional health authorities are entities of direct legislated entities created by and wholly responsible to the government. So to somehow pretend that this was an outside employer that the government was looking to please is just a little bit ingenuous I think because the regional health authorities – there's no question – are the entities of government. So in fact the government has asked itself to put this legislation in place.

I think it can be said, and I will certainly say, that this government has an uneven history with the labour movement in Alberta. Certainly, the labour movement has expressed that it feels that the government has tried to break a number of unions and not to be entirely supportive, and I think that this legislation before us has caused a great deal of fear. It's been interesting to see how many nights the galleries had people in them who stayed as late as they needed to as long as this particular bill was being debated to try and understand where the government was coming from with its opinions and its direction on this bill.

So to cast back over the concerns that were raised in the beginning and the responses that we've had from government and whether or not that in fact makes me more in favour of this bill, there was concern at the beginning around the nurse practitioners being in effect cut off or orphaned in that they don't have a professional union of their own and the moves that were being put in place by this bill would have truly cast them off. I understand that the Member for Edmonton-Riverview was able to have a friendly discussion with the Minister of Health and Wellness, and in fact they were able to resolve that so that the nurse practitioners would not be cut off and would in fact be able to get some assistance by way of affiliation with a professional association.

The bill is for the most part taking away what we call a right to strike. There was a great deal of discussion about whether this was a human right, and: was it really a right, and where did this right appear? I think for the most part that was cleared up. It's not a human right, but it certainly is part of the UN side agreements, and it also, in fact, is a side agreement for NAFTA that collective bargaining is certainly allowed and even encouraged. But taking away the right to strike from any group of people should not be done without a great deal of care. I think it does create an imbalance, and if you're going to take away something that does create an imbalance, then what are you going to do to try and restore some sort of balance? I don't see what's being brought forward by the government in this bill that indeed does restore any sense of balance or fairness or restore a level playing field if these workers in fact lose their right to strike.

Well, it's only 10 percent of the workers says the government;

that's no big deal. Sorry; I don't buy that. I don't think it's right to do that to any group of people no matter what the percentage is, and we never heard a number from the government about how many people that 10 percent in fact represents. Under any circumstances or any number I don't find it acceptable to do that. I think it's fundamental to how we have relations with the employers here, and if people wish to come together and unionize, to have a collective bargaining situation, then they should be able to do it, and I am deeply disturbed by the government taking away that ability from this particular group of people.

The unions had expressed some bafflement in that they had voluntarily been meeting to work toward achieving some sort of agreement to reduce the number of bargaining units in each health region, and they couldn't understand why, without them being aware of it, all of a sudden there was legislation in front of the Assembly which was going to do the same thing. So that didn't help to keep good union relations.

We asked a number of times whether the personnel would retain the seniority, benefits, and wages that they'd earned and bargained to keep. We had differing answers on that, I think it's fair to say.

There were also concerns about the clause that appears in the bill about the severance not being available. I think that comes down to a matter of trust, and unfortunately the trust, I think, is not there. It's a matter of trust in that it's quite clear in the legislation that if an individual is doing exactly the same job except that the name on the paycheque changes from the 31st of March to the 1st of April or whatever the enabling proclamation date is for this legislation, there should be no reason for them to be able to claim severance if their job is exactly the same. But we have sought reassurance that employees or that workers would not see their benefits, for example, change or pension contributions or seniority change in any way, and I'm not satisfied that those assurances have been received.

I think there's a genuine concern on behalf of government that people not be subjected to constructive dismissal, which is what we're talking about here if their job was changed enough that in fact it's a different job. I hope that the government will be able to hold its side up there and that it will in fact prove to be trustworthy around this situation because that's what we're talking about here. They've said that they won't do that and they won't abuse it. We have to wait and see if that is the case.

I brought up the issue of the regulations, and I've already talked about them being published so that people can have a look at them and understand them because the regulations are really the important part of this bill, but also my concern is around the legislation appearing to usurp the role of the Labour Relations Board. The minister credited me with more rabble-rousing in the community than I really should be receiving credit for because I actually have not had the time to get out into the community and give a number of people some information that would cause them to call the minister, then, and be concerned about how this legislation would impact them. I am not entirely satisfied with what I heard back from the minister.

He did not give me very clear detail about what in fact is the relationship between the regulations appearing in this act that do take on the role of the Labour Relations Board. He did address whether this was likely to continue on and appear in other bills. He indicated not, but I still express concern in this situation that we have regulations that do take over the job of the Labour Relations Board without giving any indication of what they're supposed to do now while this is all being decided by cabinet and put out as an order in council.

3:20

The government has avoided answering how much this new process is going to cost and was unable to offer guarantees that in

fact it will be in the best interest of workers. As I say, it becomes an issue of trust.

Those were the issues that I most wanted to raise when we talk about the anticipated effect of the bill once it is passed and up and working. I have listened very carefully, and the minister, I must say, was very good about being present and listening and answering questions, and that can't be said for all members of cabinet when they have bills in front of us, so I would like to give him the credit that is due to him for taking that time and for being here.

I still am not in favour of this bill, and I will continue to oppose it. I really object to having the right to strike being removed from workers. That's an integral part of collective bargaining as we know it. I disagree with what's happened to these workers, but I will be watching very carefully to see what happens when the bill itself is implemented.

I appreciate having the opportunity to raise these issues again and particularly and one last time ask for the regulations to be published and easily accessible for people to have a considerable period of time to read them and understand and even be able to go back and question through their MLAs and cabinet or the minister exactly what it is anticipated that the regulations will mean in their implementation. Thank you very much, Mr. Speaker.

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

**Mr. MacDonald:** Thank you very much, Mr. Speaker. It's a pleasure to get an opportunity to participate this afternoon in third reading of Bill 27. Certainly, although the changes may appear to some to be insignificant, I find at least some of the changes quite worrisome.

We all know in this Assembly how positive it is that we have stable and fair labour relations in this province, and the fact that one party, in this case the employees, were not consulted in my view in a timely fashion in regard to this bill is not only one of the reasons why I would have concerns at this time. Whenever we use closure to limit and restrict debate in this Assembly on an issue, in this case Bill 27, it makes not only members of the opposition cautious and suspicious about what else is perhaps in this legislation, but certainly it does that for the public as well, Mr. Speaker.

I, too, would like to put on the record that the Minister of Human Resources and Employment's efforts in participating in debate in regard to this bill certainly do not go unnoticed by this member, and those efforts are appreciated. But when we look at creating our four functional, regionwide bargaining units and we are going to have 36 different collective agreements within the nine different regional health authorities, this streamlining of the bargaining process is only going to work if all parties were to know what the regulations were going to do or what the regulations were going to say. That, unfortunately, Mr. Speaker, is not the case.

Now, we are assured that this is going to make a real difference, and when you consider what our public health care system in this province has gone through, I can certainly see why Alberta's health regions, whether there are 16 of them or whether there are going to be nine, want to try their best to improve quality patient care. They have certainly been working with limits, Mr. Speaker, in the last number of years, and a goal that all health regions, as far as I know, are striving for is to spend health care dollars wisely. I think that under the most difficult circumstances they're doing the best that they can do. How Bill 27 is going to improve this, I don't know.

We have seen in recent years that there has been growth in outpatient home and community care, and the hon. Member for Edmonton-Riverview certainly has some very good ideas on improving community care. There has been this idea of centres of

excellence, and more health care professionals are working, as I understand it, in teams. We are using the full skills and abilities of each professional to reduce healing times for the patients, but that tells this hon. member that we need to ensure that health care professionals have confidence in the system.

Let's just look at one of the largest regional health authorities that we have and that certainly will remain, and that's the Capital health authority. Now, if we were to look through the latest annual report, 2001-2002, of the Capital health authority, which is one of Canada's largest integrated health regions, we would recognize – and I've spoken of this in the past – the challenges and the future directions that are needed. I have to question whether Bill 27 at this time is going to be the right answer.

It's been expressed many times before, but certainly the recruitment and retention of skilled staff, particularly of nurses, continues to be a major challenge. Thanks to a number of initiatives, including the recruitment of foreign nurses, Capital health was able to recruit over 250 nurses and 90 physicians in the fiscal year 2001-2002, and now with the measures that are occurring as a result of this legislation, I would be interested to go to a trade fair and see if the whole issue of labour relations is discussed in recruitment. Or is it even an issue with health care professionals? Certainly, it is an issue with the Australian ones that are coming here.

3:30

Now, when we look at how important this issue is for the future of health care – and I'm not only talking about registered nurses but other health care professionals as well – this is perhaps the most important area where long-term planning is needed. If we look at the Capital Health business plan here, the health workforce plan in progress, the personnel counts as of March 31, 2002 – these are year-old statistics, but fair enough. They're the latest that are available to the Official Opposition. There are 2,116 regular full-time registered nurses – registered nurses refers to registered nurses and registered psychiatric nurses – in this health authority. Now, there are close to 2,600 regular part-time nurses. There are 2,583. There are about 2,700 casual nurses, and there are close to 300 temporary nurses.

When we look at this, the first thing that we should consider if we're going to have positive labour relations is: how are we going to be flexible enough to recruit these nurses and retain them? Now, do some of the 2,500 that are working part-time want to work full-time? If they want to work full-time, why are they not allowed to work full-time? When we look at their ages, how many of them are over 50 years of age and perhaps in the next decade planning retirement? Of the registered nurses, the number of staff 50 or older as of March 31 last year, Mr. Speaker, was 1,800. In the temporary/casual category there were 546. There were close to 500 licensed practical nurses over the age of 50. We have to be cognizant of this.

When we look at changing the rules like we're doing with Bill 27, we have to recognize that long-term planning is needed, or we're going to have a real crisis on our hands. I hope that at some point in the future no hon. member of this Assembly would stand up and say that it is the union's fault or that it's the nurses' fault because our public health care system continues to lurch from one crisis to the next. We have to have long-term planning, Mr. Speaker.

I would alert all members of this Assembly to the annual report and to consider it when you're voting on this bill. If we were to take away the rights of a certain sector of workers, are younger people who are leaving high school or contemplating taking further education or career training going to look at just the regular part-time jobs? The majority of nurses in the Capital health authority are doing regular part-time work. If these individuals are only going to

be able to find part-time work, well, perhaps they're going to consider another profession, and it's time we recognize that. We have to look at the whole playing field here, Mr. Speaker, because it's so important.

Before I proceed further, when we look, Mr. Speaker, at the cost of sick time as a percentage of total salaries, it was \$21 million, or 3.3 percent of the total, and that does not seem out of line. So that would indicate to this member that members of the nursing profession are working very, very hard.

Now, when we look at other information that's provided by the Capital health authority, they state in regard to their financial information, and I quote: the financial outlook for 2002-2003 and beyond reflects increased cost pressures; the cost pressures that Capital health faces relate to labour contracts, staff shortages, population growth, and new technology. End of quote. I'm pleased that they talk about population growth and not about an increased seniors population driving up health care costs. It's total population growth.

Mr. Speaker, when we consider what the Capital health authority is worried about here, is Bill 27 the answer? I've been persistent in second reading and in committee asking: exactly how much money is this bill going to cost? How much of an inherited debt will each new regional health authority get as a result of this bill? Hopefully we're going to get an opportunity to discuss this.

Now, we have to look at employee future benefits. I've asked that question before in committee. Certainly, the revision of the regional health authority boundaries could have a significant impact on collective bargaining. There's the transfer of services and employees from one old region to a new region. This is going to have issues of seniority, portability of entitlements, compensation. Certainly, as outlined in the financial statements . . .

**The Acting Speaker:** Hon. members, Standing Order 29 kicks in. Any questions? Hon. Member for Edmonton-Centre, you have a question?

**Ms Blakeman:** The member was discussing his concerns about whether Bill 27 was appropriate. Can he expand on what those concerns were, please?

**Mr. MacDonald:** Well, there are many concerns, but it's a dollars-and-cents issue. I thank the hon. Member for Edmonton-Centre for the question. Certainly, there are future employee costs to be considered, there are pension obligations that shall be met, and these are of course going to come out of the budget of the province. Now, we have to be very careful of that, hon. member. I heard last Friday that 37.5 percent of the total provincial budget was devoted to public health care. I didn't realize it was that high, but that was a quote that was quoted twice: 37.5 percent, Mr. Speaker. In any way that we can save money, keep "public" in public health care, we have to do it. Bill 27, I think, should really go back to committee, because with the closure motion I don't think we have had adequate time to discuss all implications of this bill on our public health care system.

Thank you.

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

**Ms Blakeman:** Thank you. Could the member talk about what other amendments he would have done had he had the time to do it?

3:40

**Mr. MacDonald:** Well, certainly, there are many amendments that could be utilized, an amendment to perhaps move this entire matter

back to committee. There was a motion presented by the hon. Government House Leader yesterday evening in regard to this matter. An hour of debate is not enough time to ensure that this Bill 27 is going to provide stable, balanced, and fair labour relations in this province and prevent a bad situation from getting worse, and that's the situation that is unfortunately going on here because of lack of long-term planning. That's the chronic shortage of health care professionals, specifically, in this case, registered nurses and LPNs and various other health care professionals. It's just a shame that in an hour, in 60 minutes, discussion of this bill is to be concluded at committee.

**The Acting Speaker:** There being no further questions, the chair recognizes the hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thanks, Mr. Speaker. I appreciate the opportunity to speak to Bill 27. This is, as I think all parties recognize, a very important bill and one with many implications. We hope they aren't going to be profoundly negative. In fact, we all hope they'll be profoundly positive, but there are so many people with such serious concerns about Bill 27 that I am worried. I need to bring some of those concerns about the effects of this legislation to the floor of the Assembly. I was, even as recently as yesterday afternoon about this time, invited to meetings and attended meetings with people who were very concerned about this piece of legislation, so I need, in the limited amount of time we've been granted, to get some of those on the record.

One of the points that was brought to my attention and which, I believe, has been partially addressed – but I am awaiting more information, and I won't have time to collect all that information – concerns the situation faced by the nurse practitioners under this bill. Now, the original concern that was brought to my mind was that under this legislation the nurse practitioners are removed from the collective bargaining process, but under other legislation, under the Public Health Act, I believe, they are required to be employees under the regulations of that act. So while the intent of Bill 27 was for nurse practitioners to expand their autonomy, to increase their freedom to be self-governing professionals, they were under other regulations required to be employees. That set up a legal contradiction in which we had people who were required to be employees who were not allowed to collectively organize, and that would have opened this legislation to a court challenge. I was told of that very early on in this process. I raised the issue with the Minister of Health and Wellness. He assured me that the regulations that forced nurse practitioners to be employees was being altered so that they would be open to self-government and to the full extent of professional self-control and self-regulation.

The reality is that nurse practitioners are years away from having their own organizing college or registrar, their own organizing system, their own voice through which to negotiate. So I expect that for the next several years nurse practitioners are going to be in a position where they have to negotiate one-on-one with the regional health authorities as a result of this bill, and that's an unhealthy situation for nurse practitioners in particular and for the whole health care system in general. I think that we all recognize that nurse practitioners do have a crucial role in the ongoing evolution of Canada's health care system. We will be turning to them more and more, and we are right now leaving them in something of an organizational and legal limbo. So that's one of the concerns with Bill 27. The government has taken some steps to address that, but I think our timing is out of sync here. We may have wanted to handle it differently, but given the speed with which the government is pushing this bill through, we won't have that opportunity.

Another issue that was brought to my attention yesterday, which I know has some people very nervous, is the issue of succession rights. The way this was put to me is that the concern is that if a unionized health facility, let's say a rural hospital, were sold to, heaven forbid, a for-profit corporation, the requirement that the new owner respect the labour contracts that were in place with the existing public-sector unions was not necessarily guaranteed. In other words, the succession rights for the workers to continue with their contract would not carry through if the ownership of the facility changed. The concern was brought to me very forcefully that this legislation could have the effect of accelerating the breakdown of the public health care system in this province if we started to see any public facilities sold off. That would actually break up the health sector unions.

I looked into that quickly. I spoke to some labour experts on it, and I was reassured that that is not an effect of this bill. In fact, I was told that the bill is fairly tightly written, fairly narrowly focused and precise in what it intends to do, although that's not to understate the fact that there are worries under section 5. But the issue of succession rights, I'm afraid, because of the speed with which this is moving, remains a real concern for some members in some areas of the health unions, and I hope through these comments that I can help allay those fears, assuming that they're justifiably allayed.

Another issue that is being brought forward here and a worrying effect of this legislation is that it is pitting labour unions against each other in a battle for members. It's going to take the wisdom of Solomon and then perhaps some for the minister and the government and, I hope, the Labour Relations Board to sort that out. It undoubtedly will be tempting for some to egg on the unions in bidding battles and raiding wars. Let's really hope that that doesn't happen. That doesn't serve anybody in the long run. It destabilizes the work environment for employees; it heightens the tension on the workplace floor. In the end it doesn't serve anybody any better to create those situations, except it does serve people who want to distract the union leadership and union members from issues of really looking after their members. So I hope that this cabinet, this minister, and whoever else is involved, the Labour Relations Board potentially, exercise good judgment here, constructive judgment, take steps to calm the waters and prevent nasty raiding battles occurring between the unions. We'll have to wait and see on that. All we can do right now is hold our breath, again because of the speed with which this legislation is going through.

I also am aware that there's a NAFTA appeal potentially being launched around this legislation. I think we'll have to wait and see if that proceeds and how far it goes. It does raise the issues again of the fundamental legality of legislation like this, but time will tell. Time will tell. There are, as I keep saying here, many issues on which we can only wait and time will tell: issues around the regulations, issues around the handling of the labour union turf wars, issues around what happens with the nurse practitioners.

3:50

We have been asked many times to debate many things and bring forward many amendments on this legislation. We've not had the opportunity. I do have an opportunity right now even in third reading to bring forward an amendment, Mr. Speaker, and I would like to do so now. I have sufficient copies here for distribution by the pages. I'll wait a moment and then carry on with my comments.

Thank you.

**The Acting Speaker:** Hon. Member for Edmonton-Riverview, you may proceed now.



**Dr. Taft:** Thank you, Mr. Speaker. I move on behalf of the Member for Edmonton-Gold Bar that third reading be amended by deleting all the words after “that” and substituting the following:

Bill 27, Labour Relations (Regional Health Authorities Restructuring) Amendment Act, 2003, be not now read a third time but that it be recommitted to Committee of the Whole for the purpose of reconsidering the proposed section 5.

Clearly, Mr. Speaker, this is a plea for us to revisit this issue, return to Committee of the Whole and allow a more extensive debate on this piece of legislation. Wouldn't it be thrilling if we had the same extensive participation in debate on this legislation from government backbenchers as we had on the rough fescue issue? Rough fescue is the grass that has been now, I guess, legislated as an official emblem of Alberta.

Anyway, the intention of this reasoned amendment – it's not a hoist; it's a reasoned amendment – is to return the debate to Committee of the Whole so that we can take our time and maybe even allow a week or two to pass so that the affected bodies, particularly the tens of thousands of workers who are involved, can have some more vigorous and direct and meaningful input into this whole process. They are desperate for consultation on this particular issue. I welcome a free and open debate on this particular amendment, Mr. Speaker.

Thank you very much.

**The Acting Speaker:** Hon. members, Standing Order 29 kicks in. The hon. Member for Drayton Valley-Calmar.

**Rev. Abbott:** Thank you, Mr. Speaker. Given that this issue is so important to the Member for Edmonton-Riverview and all the members of the Liberal opposition, would he be willing to abandon his cowardly ways and answer a question?

**Dr. Taft:** Mr. Speaker, that's exactly why I don't participate in this business. If we return . . .

**The Acting Speaker:** The hon. Member for Edmonton-Gold Bar is rising on a point of order.

#### **Point of Order Insulting Language**

**Mr. MacDonald:** Yes, Mr. Speaker. I rise on a point of order under 23(h), (i), and (j). I think that last statement from the hon. Member for Drayton Valley-Calmar is totally inappropriate, and I would ask him at this time to withdraw that comment from the official record. Thank you.

**Rev. Abbott:** I'll save the opposition the time of trying to prove their point of order, and I'll withdraw the statement.

**The Acting Speaker:** That really helps, but I'll caution all members. Every person in this Assembly is an honourable person. Please be cautious with the words that you use in this Assembly.

The hon. Member for Edmonton-Rutherford.

#### **Debate Continued**

**Mr. McClelland:** Thank you, Mr. Speaker. This is more by way of comment than question because I respect the Member for Edmonton-Riverview's decision not to participate in questions and comments. So I'll use this time as an opportunity to comment. I want to comment in general terms on this legislation just for the record at third reading.

As a result of this legislation over 400 collective agreements will

become 36 collective agreements in nine health regions, and this will be for the benefit of everyone involved in the system, including the employees covered under these contracts. They will be able to work shoulder to shoulder with other people doing essentially or exactly the same job and be covered under the same contracts. Yes, it's going to be difficult for some to arrive at this, because the employees are going to have to make a choice freely, of their volition, between one of two unions to belong to. That's the only way we're going to get from 400 collective agreements down to 36. The measures envisioned in this act are in no way antiunion, antilabour. They inure to the benefit of everyone involved, including the patients, including the taxpayers, and including the workers.

Thank you.

**The Acting Speaker:** The hon. Member for Drayton Valley-Calmar.

**Rev. Abbott:** Thank you, Mr. Speaker. Yeah, just a friendly comment. I think that Bill 27 actually will aim to streamline bargaining in the health care sector. I believe that employers, employees, unions, et cetera, have all been well consulted on this, and I know that our minister has done an excellent job. So I guess I just want to in a very friendly way speak against the amendment and put my comments on the record that I think this bill is in the right direction.

**The Acting Speaker:** Hon. member, that section was still under Standing Order 29 for questions and comments. I take it there's nobody else who has any more questions.

We will recognize the Minister of Human Resources and Employment.

**Mr. Dunford:** I would ask all members to defeat this amendment, and I will tell you why. We could spend hours discussing back in committee the concern about the severance situation, but I think the hon. Member for Edmonton-Riverview in his cogent and succinct way said as much as can possibly be said – and I don't know that it took him 30 seconds – and that was the fact that he went and had the act, I guess, reviewed, as I understood his comments, by legal authority, and they talked about how tight this act really was. Now, I think it's a reaffirmation that this government has not been kidding when it talked about the fact that with a very unusually named bill we were being very tight, in his words, or being very specific. I don't know that there's any confusion left here in the House or whether there should be any confusion left here in Alberta, as a matter of fact, of what we're dealing with, then, within this bill. So reverting to committee is clearly unnecessary, and I rely as my evidence the hon. member's own remarks.

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

**Mr. MacDonald:** Yes, please, Mr. Speaker. Thank you. Certainly I appreciate the observations of the hon. Minister of Human Resources and Employment, but at this time in regard to the amendment there are many outstanding issues.

**The Acting Speaker:** Hon. Member for Edmonton-Gold Bar, I regret to interrupt you, but there was a note that I had which I did not understand clearly.

May we briefly revert to Introduction of Guests?

[Unanimous consent granted]

**4:00head: Introduction of Guests**  
(*reversion*)

**The Acting Speaker:** The hon. Minister of Learning.

**Dr. Oberg:** Thank you very much, Mr. Speaker. It gives me great pleasure today to introduce three people to you. Two of them are from my community of Brooks. They are here with the Chamber of Commerce, who are holding their annual MLA reception tomorrow. The first one is Arlene Curry with the Chamber of Commerce, and the second one is Mara Nesbitt with the Chamber of Commerce. Mara Nesbitt is the president of the Chamber of Commerce and also happens to be my constituency assistant and has worked with me for approximately the last 12 years in varying capacities. Also with her is Sandy Stefanyk, who works in my office here. I would ask that they all rise and receive the warm welcome of the Legislative Assembly.

head: **Government Bills and Orders**

head: Third Reading

**Bill 27**  
**Labour Relations (Regional Health Authorities**  
**Restructuring) Amendment Act, 2003**  
(*continued*)

**The Acting Speaker:** The chair once again recognizes the Member for Edmonton-Gold Bar, and my apologies that we interrupted you. We will give you the full 15 minutes from here on.

**Mr. MacDonald:** Thank you, Mr. Speaker. Now, when we're looking at the Alberta Labour Relations Board and the role that they're going to play at some time in the immediate future in regard to this legislation, Bill 27, perhaps now is a suitable time to move this bill back to committee. This could almost be our own version of the Senate. Certainly the hon. Member for Edmonton-Whitemud has spoken in the past about the Senate and the purposes of the Senate, and this motion is actually going to give us our opportunity to have another close second look at this bill.

When we look at health care labour relations and some of the changes that are proposed, we're going to have certainly these four functional bargaining units. The reason for having the four functional bargaining units as articulated by the Human Resources and Employment department on their home page is that the Alberta Labour Relations Board will be granted special temporary powers to deal with issues arising out of the formation of the four functional bargaining units. I'm sorry; in the length of time we have debated this, this issue has not come up. The Alberta Labour Relations Board will be granted special temporary powers to deal with issues arising out of the formation of the four functional bargaining units. Now, how is this going to enhance fair and balanced labour relations with the health care professionals? My questions at this time – and if we could go back to committee, we could have a good look at this – are: how long will these special powers last, and who will revoke these special powers? Will it be the Lieutenant Governor in Council? Exactly how is this going to work? I'm still concerned about some of the legislative notions that are going to go forward in regulation.

Certainly "authorizing the Board to make binding determinations as to [the] terms and conditions to be included in a receiving collective agreement where the parties are unwilling or unable to do so" – any member can stand up and correct me, but we are giving the board the authority for binding arbitration. Where is the mediation in this process? Certainly in the current act it's in there for employ-

ees, not employers, but there are some areas or some sections of the act where a one-person panel, whether it be the chair or vice-chair, can make certain specific decisions in regard to matters around employees.

This is another good idea why we should go back to committee, because in all the time this has been discussed, the answers haven't been coming from the side opposite. The Lieutenant Governor in Council regulations can – I think it's 162.1(3). "The Board may hear any matter or conduct any business under this Part through the chair or a vice-chair sitting alone." Well, this is in my view expanding the powers again of the Labour Relations Board, and I don't know what this is supposed to do. Is it the granting of special temporary powers? If these special temporary powers are to occur, then we should have a grandfather clause here to make sure that these special temporary powers don't go on forever. If we're going to have them until we get the whole issue of changing from 16 health authorities down to nine, then there should be some . . . [interjection] Well, there are a couple of other ones that are sort of outside that, but we need to ensure that whenever the reorganization of the regional authority boundaries goes on, these special temporary powers are dealt with.

I would urge, Mr. Speaker, for this issue to go back to committee to be discussed because it is certainly an issue of concern. Perhaps again I will pose the questions and at the end of my time speaking I will receive an adequate answer, but again: how long will these special powers last, and who will revoke these special powers? I don't think that it's in the interest of fair and balanced labour relations and even the whole issue of being impartial when we look at the current act and either a vice-chair or a chair sitting alone can make certain rulings regarding employees but not, odd enough, in my research, the employers. Now, if we could get an answer to that, it would be terrific.

In support, again, of the motion to recommit this bill to committee in light of closure that was invoked last night – well, it was on the Order Paper since last week, Mr. Speaker – we can never be too hasty. If we're going to have confidence in our entire system of labour relations, then let's have a good, broad discussion on what we need to do.

Now, I'm not saying that this government has proven itself again to be a foe or an enemy of labour unions. I was certainly pleased to learn yesterday in research that in August of 1971 then Official Opposition leader Edgar Peter Lougheed decided and expressed by letter that certainly the public-service unions should have the same rights as other union members in this province. That was a promise made then, and that was, gosh, 32, 33 years ago, and it still hasn't come to be. But there is always a chance and there's always a hope.

This was expressed by the hon. Member for Edmonton-Riverview: we can't pit one group of workers against another. There has been concern expressed that this bill is going to make the AUPE and the CUPE drive for the right to represent those workers. Now, if that's going to happen, if we're going to pit one union against another in a competition to represent far fewer bargaining units, how is this going to be healthy for all the labour relations in the health care professions in this province?

**4:10**

If we went back to committee, if we recommitted this bill back to committee, perhaps the government could have a consultation process with some of the unions. The union leaders in the past have been more than willing to meet with and work with this government, but now we have – and it's disturbing to learn in the course of debate earlier that: oh, we are taking the advice on this one of the provincial health authorities of Alberta, and we're going to take their interest,

and the health care professionals can like it or they can do whatever they figure is best. Certainly, I hope that they do not have a look at this legislation – I sort of broached this issue a little earlier – and vote with their feet and take their precious skills and go to another jurisdiction. I certainly hope that doesn't happen, Mr. Speaker. When unions and the health care professionals or the workers that they represent are upset by this legislation, they are again concerned about the regulations.

Now, perhaps this recommittal would not be necessary if all the regulations were tabled in this Assembly, even if they were on the Internet. Bill 19, the gas bill, the further energy deregulation bill – those regulations or draft regulations were on the Internet from October, from before Halloween, and there were also drafts of the legislation, Mr. Speaker. But with Bill 27 here there has been no such thing, and perhaps the leaders of the unions that represent the health care professionals wouldn't be here until 10:30, 11:00, 11:30 at night, concerned about the implications of this bill, if they themselves could have a look at the regulations.

It is amazing that – and this is getting back to Edgar Peter Lougheed after he was Leader of the Official Opposition and did become Premier – the Premier, Premier Lougheed in this case, would have regulations tabled in the Assembly for all members to see whenever they were debating bills, and I was surprised and delighted in the course of conducting research to find out that this was a parliamentary practice in those days. How things have changed in a little over a generation, in 32 years. Certainly, it would not be necessary to recommit this bill to committee if perhaps all members of the Assembly could see the regulations for themselves. It would certainly alleviate some of their fears.

Now, the hon. Minister of Human Resources and Employment talked about the United Nurses association, but certainly Ms Dick of the United Nurses association had some reservations about this legislation because she was fearful of what's in the regulations. This is a quote from Ms Dick. It's particularly offensive when you take the right to strike from anyone, she said, adding that not allowing health care workers to strike provides a, quote, false sense of security, end of quote. She goes on to state that the part she is most upset about is that nurse practitioners who currently belong to the union movement, including the UNA, will no longer be allowed to belong to a union. She pointed out that nurse practitioners have many of the same duties as doctors, but doctors are represented by the Alberta Medical Association. Now, that is just one person who is a member of the United Nurses and some of the concerns that she has expressed publicly in regard to this bill.

[The Speaker in the chair]

So in debate on the amendment here, Mr. Speaker, to recommit to Committee of the Whole for the purposes of reconsidering the proposed section 5 of the bill, I would have to urge all hon. members of this Assembly to accept this amendment.

Now, when we look further at this amendment . . . [Mr. MacDonald's speaking time expired] Oh, goodness.

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

**Mr. Mason:** Yes. Thank you very much, Mr. Speaker. I'm pleased to rise to this amendment. The amendment is that Bill 27, the Labour Relations (Regional Health Authorities Restructuring) Amendment Act, 2003, not now be read a third time but it be recommitted to Committee of the Whole for the purposes of reconsidering the proposed section 5. Well, I think this amendment

goes part of the way. I would like Committee of the Whole to reconsider the entire bill, but if it's being asked to look specifically at section 5, that's, I think, a step in the right direction.

It says in that section that the following is added after section 162.

162.1(1) The Lieutenant Governor in Council may make regulations

- (a) providing for the establishment of region-wide functional bargaining units as bargaining units for the purposes of this Act for all regional health authorities and their employees who are represented by a bargaining agent.

Now, that's interesting. You know, I don't disagree with the objective of reducing the number of bargaining agents in this bill. It really in lots of ways makes sense, and I don't disagree necessarily with reducing the number of health authorities in the province. It may be a little bit of a rationalization that might be of some value.

The question in both cases, Mr. Speaker, is how you get there, how the government wants to get to their objective. It's not necessarily that they're always completely wrong on every objective they have. I think that in this case having a rationalized structure for health authorities is probably a good thing. [interjection] I know that the minister enjoys that. I'm sure he thinks I'm making progress when I say that the government is not always wrong. The government is not always wrong, but the government usually employs a method of getting to where it's going that leaves something to be desired, and I think it's the case here.

First of all, without consultation with the health authorities or at least the members of the boards they basically broke them up and fired a number of the public members, so I think that represents kind of an antidemocratic approach to restructuring these authorities, and that's part of the problem.

Now, in terms of how they want to get the regionwide functional bargaining units, the government has ignored a lot of work that's been done by the various bargaining agents, the various bargaining units, the different unions, and they have been working for some time at trying to reduce the number of bargaining units, so they're taken right out of the equation. They're completely sideswiped by this legislation. They're blindsided by it, and the government went essentially behind their back, and at the behest apparently of the employer in this case agreed to this legislation.

So it blindsided the organizations, and it also blindsided the workers, because what it does, Mr. Speaker, is it essentially takes away the choice of people within bargaining units to select which union they want. Not ultimately but it sort of lays before you nine units, as the minister had said today in question period, nine health authorities and four bargaining units in each one. Well, what happens if the employees want to have five bargaining units? Or six?

4:20

**Mr. Magnus:** It's not up to them, Brian.

**Mr. Mason:** We hear from the hon. member opposite that it's not up to them, and I guess that's really the part that I have the most difficulty with and why I believe that this should be referred back. I think we need to talk more about that. It should be up to them.

That hon. member, I know, has belonged to labour organizations in the past and has benefited by them, and I think that he would agree that freedom of choice in these matters is an important thing. I know that he's also done lots of good work with firefighters, so he knows or should know that some freedom to choose is part and parcel of a free collective bargaining process, and when the government intrudes or infringes on that, it really undermines the whole system that we have.

So it's how the government gets there. Rationalizing health

authorities and rationalizing bargaining units within the health authorities are both positive objectives, but we need to arrive there with some democratic discussion with the parties involved and not just a top-down decision by the government as to how things are going to be.

The next part that the cabinet can make regulations on is (b), and it says:

- (b) governing the manner in which a bargaining agent and a receiving collective agreement are selected for each of the region-wide functional bargaining units, whether with or without a vote of employees, including, without limitation, regulations
  - (i) establishing types of collective agreements from which the receiving collective agreement for a region-wide functional bargaining unit will be selected.

Again here the cabinet is getting power in this legislation to determine those things on the behalf of employees rather than allowing the people freedom of choice.

Next, it will have the power to make regulations

- (ii) respecting the manner of determining from which type of collective agreement the receiving collective agreement for a region-wide functional bargaining unit will be selected;
- (iii) respecting the manner of determining which trade unions are eligible trade unions for the purposes of a vote by employees to select a bargaining agent for a region-wide functional bargaining unit, and respecting the circumstances under which such a vote may or must be conducted.

This is, I think, highly illustrative of the government's approach. The government will allow a limited democracy. In other words, the government will determine which trade unions are eligible for the purposes of a vote, and once they've set out who you can choose from, then they allow you to choose from the list that they provide. In some countries, Mr. Speaker, this is called guided democracy.

**Ms Blakeman:** What?

**Mr. Mason:** It's called guided democracy.

**Ms Blakeman:** Who invented that?

**Dr. Taft:** Was that Lenin?

**Mr. Mason:** No, I don't think it was Lenin. In certain authoritarian regimes that exist, you know, in different countries – and I don't want to slag any particular organization – it's often used after a military coup, for example, in order to get the country back to democracy. Once they've re-established western institutions and put the oil companies back in charge of the country, they often have a period where democracy is called guided. [interjection] Well, it may or not be appropriate to call it that, but there's clearly a lot of guidance being provided for these poor workers here so that they don't make a mistake and pick the wrong union. So the government is determining which unions they can select. Of course, once the government has done that, then we have free and unfettered democracy in choosing amongst those unions. That gives me a lot of concern, and it's one of the reasons I support this amendment and why I believe that it should be put back into Committee of the Whole so that we can review this entire section, because quite frankly I think there's a lot here that needs some work.

It says that cabinet may also make regulations "respecting the conduct of votes of any issue related to the selection of a bargaining agent or a receiving collective agreement." Well, depending what

rules the government makes, that may or may not be okay, but we don't know and, of course, the workers don't know, and until they know, they're not going to be stampeded into supporting this particular piece of legislation, nor will we in the New Democrat opposition, Mr. Speaker.

The cabinet may make regulations

- (c) providing for the continuation of existing collective agreements.

Fine.

- (d) requiring employers and bargaining agents selected under this Part to bargain collectively in good faith and to make every reasonable effort to negotiate amendments to the receiving collective agreements selected under this Part so that the receiving collective agreements will contain terms and conditions of employment for all employees in the region-wide functional bargaining unit, and governing the means by which that is to be accomplished, including, without limitation, the method by which contentious issues between the parties are to be resolved.

Now, that's interesting, and this gives me a lot of cause for concern as well. The government can determine "the method by which contentious issues between the parties are to be resolved."

There are existing methods of dealing with contentious issues, Mr. Speaker. There are collective agreements, collective bargaining, and if that doesn't lead to success, then there's mediation. Then if that doesn't work, the sides can both agree to binding arbitration, and if they don't want to do that, then you could be in a strike or a lockout situation, which we all hope we can avoid. But why isn't the government prepared to use existing methods of resolving disputes, contentious issues between parties in this case? If they're going to use arbitration – and I don't think they should, at least not in the first instance – then they should say so in the legislation. They shouldn't just leave it to the cabinet to make all of these decisions on behalf of both the workers and the employees.

If you move along, the cabinet can authorize or make regulations authorizing the Board to hear and determine a complaint that a party has failed to comply with a regulation under clause (d) and to remedy that failure in the same manner as it may remedy a failure to comply with section 60.

Moving on, under sub (f) it can authorize "the Board to make binding determinations as to terms and conditions to be included in a receiving collective agreement where the parties are unwilling or unable to do so." Well, I guess that's talking, then, about arbitration in a sense, but it really is different because the board makes the determination and it's not an arbitration process. So they've skipped a step there.

It can authorize "the Board to deem affiliated local unions of the same parent trade union to be one trade union for the purposes of this Part."

It may make regulations "requiring affiliated local unions of the same parent trade union to act as a single trade union for the purposes of this Act and to adopt rules and procedures for that purpose."

It can authorize "the Board to do anything that a trade union, employer or employers' organization is required to do under the regulations or by the Board and fails or refuses to do so," without setting any tests, Mr. Speaker, for whether or not organizations, employers, or unions fail or refuse to do so.

And it provides "for any transitional matters the Lieutenant Governor in Council considers necessary to ensure the transition from the implementation of this Part to collective bargaining under this Act generally." Well, there's a lot of room in a transitional arrangement to determine how things are going to work in the long run, Mr. Speaker, so I guess in this case the government is saying:

you just have to trust us. Why would the unions agree to that when the government was involved in working out the details of this act behind their backs with the employer and not telling the unions even what was going on so the unions find out about it post facto? Why would they feel that they had confidence in what the government ultimately wanted to do?

4:30

Again it comes back, Mr. Speaker, to the problem I have with this section in general and why I think the Committee of the Whole needs to revisit it, and that is that the government in trying to achieve what could be determined a reasonable objective is taking a shortcut. It's sort of trampled on the rights of people.

With that, Mr. Speaker, I'll thank the members and take my seat.

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

**Ms Blakeman:** Thanks very much, Mr. Speaker. I just want to speak briefly to this amendment that is asking that the bill be recommitted to the Committee of the Whole for the purpose of reconsidering the proposed section 5. The Member for Edmonton-Highlands has been kind enough to read most of those regulations into the record at this point.

My reasoning for wishing to see this bill recommitted to committee is that I still feel that there are some answers that are outstanding. I was also hoping that perhaps without the guillotine of the time allocation hanging over their heads, we might hear from some more of the government members on the record as to why they supported this bill and in particular to hear some of their thoughts around the regulations that are appearing in section 5, because there has now developed this parallel system that the government has with regard to the way it moves legislation through. It's making this Assembly a second or third stop and one in which the government members no longer participate.

I don't know whether the backbenchers were instructed not to speak to this bill or speak to government bills, but we heard from, I think, one or two of them. I always find it interesting and certainly instructive to hear what the various reasonings are from members of government, how it's affecting their particular constituencies or what in their life experience or past work experience has brought them to that point, and we don't hear any of that in this Assembly anymore. The Committee of the Whole is a more informal working session, and I had hoped that we would be able to encourage more of those members from the government side, whether in cabinet or whether they were backbenchers, to in fact tell us why they supported that bill.

I've spoken at length about my concern with the amount of regulations in this bill, as have many others, and my concern that the regulations don't appear to be being released so that they could be discussed. One of the things I said was that constituents could then contact their MLA and find out why their government MLA was supportive, or perhaps they weren't supportive behind closed doors in caucus, but we don't get to know that. I think it's government by stealth, government behind closed doors, and I'm just trying to do my bit to bring it back into this Assembly, which is what we're all supposed to be here to respect and uphold. The government is slowly but surely moving it away from here and diminishing the importance of this particular Assembly.

I recognize that the members are impatient and have already talked about this. Or supposedly they have. We don't know. We don't know how much they participated in it. We don't know if they were just given a briefing and everyone was told to follow along. We have no idea because that's never discussed in here. We don't know

how people feel about it. Neither do the public, and the public have no way of finding out what their own MLA said on the record because they didn't say it on the record. So that was my reasoning for wanting to see this recommitted back to Committee of the Whole, the hopes that it would encourage the private members on the government side to rise and get their thoughts or reasoning for supporting the bill on the record.

I continue to look to the minister to explain more about what I perceive as a conflict in section 5 of the amending act with regard to the powers that are allocated through the Labour Relations Code to the Labour Relations Board. There's actually even some differing opinion between myself and other members of my caucus about what this means, so I would have liked to have heard the minister speaking to that.

I do notice that one of the examples that appears in both places that I missed when I spoke to this earlier was in fact an issue that was raised by my colleague from Edmonton-Gold Bar, which was the authorization for the board to be able to conduct any business. It's appearing in this act under section 5(3): "The Board may hear any matter or conduct any business under this Part through the chair or a vice-chair sitting alone." A section very similar to that also appears under the Labour Relations Code, section 16(5): "The Board's powers under subsection (4)(a) may be delegated to the Chair, a vice-chair or an officer designated by the Board." So again my question, as it was for most of the other regulations involving the Labour Relations Board, is: does one override the other or set it aside for the purpose of this act, or do they both operate at the same time but there's some sort of referee? I was looking for that to be cleared up.

I guess my final concern was to know that there were union representatives that were meeting and working on this on a voluntary basis, working towards the same reduction of bargaining units as is given by the minister as the sole reason for needing to bring this legislation through. If there was a process that was already happening with the very groups that this bill purports to be dealing with, then what was the hurry that that process couldn't have been enhanced and upheld by the government? What was the hurry to subsume it or stop it or override it? I have not heard an explanation from the government side as to why. Was it failing? Was it taking too long? Were they not covering all the points that needed to be made? What was the reason that the work of that voluntary group was not acceptable? So, in fact, the work was being done, and I still don't see why it couldn't have been upheld. I was hoping that there could be more discussion around that or explanation around that if we're able to pass this amendment and recommit to Committee of the Whole.

So that's all I really wanted to say in support of the amendment. I hope that members of the Assembly will follow through and allow us to recommit this bill. Thank you.

[The voice vote indicated that the motion on the amendment lost]

[Several members rose calling for a division. The division bell was rung at 4:39 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Blakeman	Mason	Taft
MacDonald		

Against the motion:

Abbott	Goudreau	Lund
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Ady	Griffiths	Magnus
Amery	Haley	McClelland
Boutilier	Hancock	Melchin
Broda	Hlady	Oberg
Calahasen	Horner	O'Neill
Cao	Hutton	Shariff
Cenaiko	Jacobs	Strang
Coutts	Johnson	Tannas
Danyluk	Knight	Taylor
DeLong	Lougheed	Woloshyn
Doerksen	Lukaszuk	Yankowsky
Dunford		
Totals:	For – 4	Against – 37

[Motion on amendment lost]

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

**Mr. Hancock:** Thank you, Mr. Speaker. I would move that we adjourn debate on Bill 27.

[Motion to adjourn debate carried]

**4:50** **Bill 19**  
**Gas Utilities Statutes Amendment Act, 2003**

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

**Mr. MacDonald:** Thank you very much, Mr. Speaker. Again it is a pleasure to rise at third reading and get in further comments in regard to the Gas Utilities Statutes Amendment Act at this time. Now, certainly whenever we consider . . .

**The Speaker:** Sorry, hon. Member for Edmonton-Gold Bar. We should have the moving of the bill first. The hon. Member for Dunvegan is going to move it.

**Mr. Goudreau:** Mr. Speaker, I'm pleased to move third reading of Bill 19, the Gas Utilities Statutes Amendment Act, 2003, on behalf of the Member for Innisfail-Sylvan Lake.  
Thank you.

**The Speaker:** Okay. The bill now having been moved, hon. Member for Edmonton-Gold Bar, you may re-begin.

**Mr. MacDonald:** Thank you, Mr. Speaker. Bill 3 and Bill 19, in this case the Gas Utilities Statutes Amendment Act, are going to certainly create a great deal of interest and, unfortunately, concern for Albertans. Now, when we look at this bill – and we are looking at amending the Gas Utilities Act, the Gas Distribution Act, and the Rural Utilities Act – we are changing the structure of the natural gas retail marketplace to allow for more competition, and we've all been told that this competition is going to be a good thing and it's going to reduce the price for consumers. Time will tell, but when we look at what has happened – and this is only since Christmas – and we look at the natural gas market in this province and the relationship we have to the North American market, gas prices have shot up certainly. Yeah, there's the issue of supply and demand, and there's also the issue of politics. Energy deregulation has certainly added costs to natural gas, and it is my view that we're going to add costs even further in regard to this bill.

Now, Mr. Speaker, we have been given assurances in this

Assembly that this legislation affects the operation of gas co-ops only, and this is how it affects them: by allowing their members to buy natural gas from other suppliers if choice is approved by two-thirds of the members. I'm getting calls from all over the province from members of gas co-ops who are just not sure about that. They have had over the years natural gas provided by those co-ops on a cost recovery basis, and they're quite satisfied with that arrangement. They're nervous and they're skeptical of what we're going to do with Bill 19.

Certainly, we look at – and this has been discussed before in this Assembly; in fact, it was discussed in question period today – this deal that is going to be presented by Direct Energy in due time, and it was tabled by the hon. Minister of Energy. This is a marketer, in my view, without a licence that's anxious to participate in our market, but it's another case of a middle person, and how this is going to improve the situation for Albertans is beyond me.

Now, when we talk about aligning the natural gas retail marketplace with the electricity marketplace so that one energy retailer may market electricity and natural gas simultaneously or, in the words of the Navigant report, the convergence of these markets, I fail to understand and many of the 900,000-plus natural gas customers in this province also fail to understand how this is going to bring about lower prices. That's what this is all about, Mr. Speaker: providing what is really an essential service. I've said this in this Assembly before: heat is not a luxury in this province. When we consider what is going to happen and what the implications of this bill are, I think we should have another look at this. I really think that we should have another look at this notion that customer choice or the ability for consumers to purchase natural gas from the provider of their choice will mean lower gas prices for residential consumers.

We can look at the price of natural gas. For instance, hardly eight years ago natural gas was about \$1.65 a gigajoule in this province for residential users.

**Ms Blakeman:** You're kidding.

**Mr. MacDonald:** Yes, \$1.65. Those days are long behind us. In fact, when you consider that in some years the regulated rate for natural gas would be lower than even \$1.65 – and that was the winter rate too. Those, as they would say, were the good old days. Now we're looking at anywhere between \$7.58, \$8.58, a little bit over \$9. For this month, if we average ATCO north and ATCO south, we're looking at a \$9 a gigajoule price for natural gas. Whenever we consider what the price was then and what it is now, this certainly has not been an improvement for Alberta consumers.

I again fail to see how this bill, Mr. Speaker, will improve the lot of Alberta consumers. It has yet to be explained to me – and certainly I hope that at some point we can go back and have another look at this legislation – how the cost associated with combining these two billing systems is going to work. Who is going to pick up those costs? Will it be the consumers again? How is all this going to work out? We certainly know the problems. The citizens of St. Albert, Mr. Speaker, know the problems associated with billionaires and metering devices that, if they are working, are inaccurate. It would be in my view one of the places in the province with the most frustration expressed by consumers over this energy deregulation. St. Albert certainly would be one of the neighbourhoods that have been the victims of energy deregulation. How will the citizens of St. Albert share in these associated costs? That is a question that has yet to be answered.

**5:00**

When we consider that Bill 19 is going to move Albertans toward

a more deregulated energy marketplace and require a signed contract to receive stable prices – it's all about stability. It's not about low-cost energy anymore; it's about a stable price. Anytime you have this five-year contract, it's a gamble. When you look at some of the long-term price projections for natural gas – and these are experts and I'm sure the Alberta government has experts and they're probably contracting out to receive expert advice on natural gas prices not only for next year but for the next 10 years – they range anywhere from \$3.80 to \$4.50, some certainly as high as \$5.20 but not in the range of \$7.54.

When we consider contracts, Mr. Speaker, I was pleased to see on CFRN television one evening recently a gentleman who had signed a contract and had tracked prices. This gentleman had the contract, as I recall, for at least two years if not three, and there were only two months in that time period where he came out an economic winner as a result of signing this contract. Many constituents are asking for advice on this matter. I'm sorry; signing one of these long-term contracts for \$7.50 or \$7.30 at this time in my view would be inadvisable.

How can we make the argument that we're going to trade low-cost gas and, oh, we're going to have stable prices or the fact that the days of cheap energy are over? Mr. Speaker, you can't consider at any time that Albertans as owners of the natural gas should not receive the benefit, and the benefit in this case is the public good. To think that they should have to pay the same price as someone in, let's say, Chicago or San Francisco . . . [interjection] Now, an hon. member says that, well, citizens are gathering the royalties, which is true, but the Natural Gas Price Protection Act, which was a flagship after the re-election of this government, after the great rebate election, was supposed to share those rebates with the citizens. Unfortunately, that hasn't happened.

Certainly citizens from all over the province have signed our petitions. Thousands and thousands of citizens – over 5,000 and growing – have contacted this political party through [altaliberals.ab.ca](http://altaliberals.ab.ca) to express their dismay at this government in their reluctance to share the wealth from the natural resources. Now, there are many people in the community of Edmonton-Gold Bar who, Mr. Speaker, when they discuss Bill 19 at the coffee shop, think that the reason the government is so reluctant to give rebates is because it would cut into the sales of the direct marketers like Direct Energy and the municipally owned ones, Enmax and EPCOR. That's the reason there are no rebates anymore: because if people knew that there were going to be rebates, well, why would they rush out and buy one of these expensive long-term contracts when they don't have all the information presented in a timely fashion.

Now, when we look at this bill and we look at the future for Alberta, we must, Mr. Speaker, look at some of the promises that have been made here. Again, we are looking at enabling firms other than utility companies to provide regulated gas supply service to customers. We are looking at aligning, as I said earlier, the retail natural gas and electricity markets and permitting both commodities to be marketed together. Well, we already know that electricity is not a commodity, because it can't be stored. We're also proposing here to increase retail competition by providing a more equal footing for natural gas retailers and utility companies. There are a few municipally owned utilities in this province – some people say there are seven; others say there are nine – other than Enmax and EPCOR. Where do they stand on this? How does this affect them? How does it affect the customers that they serve?

When we look, Mr. Speaker, at these three statutes and how they're put together in this bill and the future for natural gas consumers in this province, I don't think it will be positive. It's not going to work out the way we are being promised. We are being

promised that this choice is going to work. When you consider what the Navigant report had to say – and this was commissioned by the government. Now, there have been a lot of studies commissioned by this government in the last couple of years. There are so many studies that it's hard to keep track of them all. Certainly there have been studies that have been promised by the Department of Energy to this member, and I'm still waiting. I don't stand too long at the mailbox every day because I've sort of given up.

There are many studies, but the Navigant report is perhaps the most interesting. Now, has it been followed here? The Navigant report spoke about having a consumer education program for all citizens. Other jurisdictions which have attempted this deregulation and then have realized the folly of their ways and have backed off have had consumer education programs. Nowhere in this bill do I see a consumer education program. Some jurisdictions set aside 50 cents, up to as much as \$2 – and this would be American currency – to have consumer education programs. But not here. Unfortunately, a constituent of Edmonton-Gold Bar got some firsthand, up-front information regarding these direct marketers who appeared at her doorstep. It was then that I realized that we must encourage this government to initiate some sort of consumer information and protection program. Not everyone has access to the Internet. Certainly, there are codes of conduct displayed on the Department of Energy web site for not only electricity marketers but also for natural gas marketers. It's there.

5:10

Now, a lot of people, because of their high utility bills, can't afford a home computer. High utility bills are eating into a lot of people's disposable income. If they could afford the home computer, then there's the Internet access. They'd have to pay for that too. Many people, as a result of this energy deregulation, have significantly less disposable income, Mr. Speaker. We talk about the Alberta advantage. We talk about: oh, yes, we have lower taxes; we have this; we have that. Certainly we need to have that so we can afford to pay our utility bills at the end of the month. They're skyrocketing totally out of control. How some school boards and some hospitals get by is beyond me.

In regard to natural gas costs earlier in debate on Bill 27 we talked about some of the regional health authorities. Many of the regional health authorities, many of our institutions of higher learning are having difficulty keeping to their budgets because of skyrocketing natural gas prices. How is Bill 19 going to give comfort and economic advantage to those institutions? Certainly some schools, not all schools, are looking at revising their budgets because of utility costs. It is perhaps at this time the number one public issue with Albertans.

Certainly, two years ago the novelty of rebates during an election year worked for this government. Many people decided: well, we'll give this energy deregulation one more chance – one more chance. Bill 19 is putting this government and their massive majority on the bubble, because I don't think the citizens are going to tolerate this any longer, these utility costs skyrocketing to the point where there are going to be difficulties at the end of the month with household budgets. People can only take so much, and when you look at \$400 and \$500 a month utility bills, it is far, far too much. [interjection] There will be an open revolt. I'm glad the hon. member brought that up, because as people articulate in the letters to the Official Opposition and in the phone calls, that are very numerous these days, it is an open revolt. I'm hearing from citizens all over the province, and they're not happy with the high utility bills.

**The Speaker:** The hon. Member for Grande-Prairie-Smoky.

**Mr. Knight:** Thank you, Mr. Speaker. Some very interesting comments from the member opposite provoked me to respond and perhaps pose a question or two. It was stated that eight years ago the price of natural gas was \$1.65. Well, we could go back a little bit further than that if we wanted to look back, which is really not the way we like to look, but we can look back. Would you happen to know the price of natural gas in 1963? It was 26 cents. Yeah, 26 cents. But that's just more trivia.

The important thing about the gas eight years ago, the gas in 1994, and natural gas today in the province of Alberta is to understand what happens to a stranded commodity. The question, then, might come to mind: when was the Alliance pipeline put in service? It could have some bearing on this whole thing.

Secondly, another question comes to mind. Today it might be interesting to check on the price of natural gas in the state of Wyoming. That will give you some indication of what has happened to the province of Alberta. Wyoming is where we were about eight years ago.

Certainly, Mr. Speaker, Alberta consumers are at the same time Alberta workers, the same workers who now enjoy the highest disposable income in the country, the lowest taxes, and no sales tax, all benefits from increased gas exports.

Another comment, Mr. Speaker. Electricity in a deregulated environment can be stored, secondarily, I admit. It can be stored behind dams and in gas storage caverns in the province of Alberta's natural gas hub, and you can turn it on in 10 minutes.

Another comment, just to end my comments, Mr. Speaker. The number one public issue in the province of Alberta today remains health care. Utilities may very well be a close second, but certainly the issues in my riding still revolve around health care.

Thank you very much.

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

**Mr. Mason:** Thanks very much, Mr. Speaker. I'm pleased to rise to speak to this legislation in third reading. Bill 19, the Gas Utilities Statutes Amendment Act, 2003, is a piece of legislation that I think merits considerably more discussion in this Assembly than it has had to this point. I guess I am of the view – and I've heard this view from many government members in the past – that if it ain't broke, don't fix it. [interjections] Well, a variety of combinations might well describe this piece of legislation, because we had a system that was not broken, did not need fixing, and the ideological tinkers just couldn't keep their hands off it.

You know, it's been stated many times during this debate that gas was deregulated a long time ago, and that's true. Basically, the ability for someone who wanted to retail gas to use other people's distribution network to do so has been established in this province for a long time. The interesting fact, however, is that over those years until very recently nobody really tried to do it.

I remember having a discussion with ATCO Gas management in Edmonton when I was still on city council and not, I might add, a member of the board of EPCOR. We did, Mr. Speaker, meet with them and discuss the gas market, the gas situation, their company, the outlook, and so on, and how they served the needs of people in northern Alberta for natural gas. While they didn't say so, it was obvious to anybody that was listening to them that their policy at that time provided very, very cheap gas. Their policy was that they would earn their return on their distribution system. They would buy gas and transmit it to customers at their cost. That was the policy of ATCO Gas and, previously, Northwestern Utilities.

5:20

So in that situation two things happened. First of all, you had the

cheapest possible gas for consumers because there was a regulated utility, that being the distribution network, which is still there, and that's where they earned the money. We were getting our gas from that company at cost, so we had low prices, as the hon. Member for Edmonton-Gold Bar has said and as the hon. Member for Grande Prairie-Smoky had said before that. We had very, very inexpensive gas. The second thing follows from it, Mr. Speaker, and that is that nobody else could get in the market. How could they make money? They couldn't make money because they'd have to sell gas with no profit, and they don't have a distribution system to make money from.

So it was a wonderful system that produced for consumers the lowest possible gas prices. In fact, the company at that time had a number of fields, reserves of its own, so it was often selling its own gas and not necessarily having to buy it all the time from a market.

Now, the government promises that we're now going to have choice. The interesting thing is that they imply that it was bad before because we didn't have choice, but what we had was the lowest possible price. Now we will have choice, but it will be significantly more expensive no matter what choice you take. It doesn't matter whether it's a difference between the choice of one company or another, or it doesn't mean if you choose to buy on a monthly basis at the monthly price or you extend it over a three-year contract. All of those options which people will now have will all be significantly more expensive than the system that we had in place in this province.

You know, I think the answer is obvious, Mr. Speaker. If you're going to have competition, you have to have higher prices in order that the competition can take place. So a company that wants to come into this market requires ATCO Gas or whoever it is to be charging more than their cost for the gas. Otherwise, how can they get into the market? They can't.

So we have a case, very clearly, where a monopoly is cheaper than competition. It's cheaper than what the government is proposing for the consumers, but they need to raise the price in order to have room for people to get involved. So unbundling raises its head. You separate the distribution from the retail function. You can't have a company selling what's essentially gas at cost and getting their money from a distribution system because you can't be in both businesses. That means that everybody, to make money, has to either retail gas or be in a distribution monopoly, but not both. That means that everybody is going to make a profit on the gas, so the prices have to rise.

The question is whether or not you're going to get enough companies operating on that basis to actually have price competition or whether you're going to have competition for other things. Are they going to come to you and say, "Well, you know, you might save a little bit if you buy a three-year contract or you might save a little bit here or there or you might win a free trip to Las Vegas or you might win an electric razor or a set of steak knives or something like that or you might get a month free if you buy a contract with us"? But, basically, the price of the contracts is going to be approximately the same as buying month to month if you average it out over a long period of time. That's the case, as we all know, with things like mortgages and so on. Basically, the price has to be higher, considerably higher, in order to support the system that the government is proposing.

So nobody should enter blindly into voting on the last reading of this bill. If they're getting concerns from their constituents about the high price of gas – and they are seasonal – if their constituents are concerned about this, then clearly they need to think through what the government is proposing and consider their constituents' interests in voting on this bill, and I urge them to do so.

Now, I know that the Premier has talked a lot, at least in answer



to questions put to him in question period, about the opposition only caring about this when the price is high. Well, you know, if you're trying to represent people, Mr. Speaker, you want to represent them when they have a concern. It's probably true that the people that we represent, the people that you represent, don't have a great concern about natural gas prices during the summer for two reasons. First of all, they don't use very much gas. None of us uses very much gas in the summer. Secondly, because of that, the demand for gas is way down, so the price is way down. So it's not an issue in the summer.

What is so hard to figure out about that? I don't know. But the fact of the matter is that the wintertime price of gas has continued to rise from winter to winter, and we have had a particularly cold winter, and that has been of some advantage to people that want to put tough questions to the government on natural gas and the prices and the policy. I submit, then, that in a perverse sort of way that's a good thing because it really gives everybody a taste of things to come, and if we have another cold winter, it's going to come back.

Yes, the government is desperately hoping for warmer weather and a nice, warm summer and so on, but winter will come again, as it always does, so the problem will come back. We'll have more cold winters in the future, and it's going to really press people who are struggling to heat their homes, and we've heard lots of stories. We've tabled letters and so on from citizens and documented some of their stories and some of their concerns.

In the end, Mr. Speaker, I think that this will be a very unfortunate

bill. We could, if we really wanted to, offer people much cheaper natural gas – and we could, as well, with electricity for that matter – by simply abandoning the sort of ideological constructs about how a market is supposed to work and about the magic of the invisible hand, which was formulated by Adam Smith 300 years ago, and sort of look in a practical way at how you deliver energy to the people of Alberta. If we can do that, I think we would find ways to provide low-cost energy to the people, and we could in fact go to a system that had the interests of the public in mind rather than the interests of shareholders of some companies that want to get into the Alberta market, take advantage of the high prices, and make more money.

So, Mr. Speaker, I see that it's getting very close to 5:30, and I think that if it's agreeable to the Government House Leader, at this point I will move that we adjourn debate on Bill 19.

[Motion to adjourn debate carried]

**Mr. Hancock:** Mr. Speaker, I would move that we call it 5:30 and adjourn until 8 p.m.

**The Speaker:** Well, I think I'd have to agree with the hon. Government House Leader. I won't even call the vote, because it is 5:30. The House stands adjourned till 8 o'clock.

[The Assembly adjourned at 5:30 p.m.]

