

## Legislative Assembly of Alberta

Title: **Tuesday, May 13, 2003**

**1:30 p.m.**

Date: 2003/05/13

[The Speaker in the chair]

head: **Prayers**

**The Speaker:** Good afternoon and welcome.

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 our judgments. Amen.

Please be seated.

head: **Introduction of Guests**

**The Speaker:** The hon. Minister of Sustainable Resource Development.

**Mr. Cardinal:** Thank you very much, Mr. Speaker. It's my pleasure to introduce to you and through you to the members of the Assembly Agnieszka Wyka, who is employed in my office here at the Legislature as a summer student. She is seated in the members' gallery. I'd like her to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Banff-Cochrane.

**Mrs. Tarchuk:** Thank you, Mr. Speaker. I'm pleased to introduce and welcome a very special and distinguished group seated in the Speaker's gallery. They are called the CCAF Fellows and are participants in a nine-month international fellowship program based in Ottawa. They are visiting us today as part of a tour of western Canada. The fellowship program is a collaboration between the office of the Auditor General of Canada, the Canadian Comprehensive Auditing Foundation, and the Auditor General of Quebec. The program is sponsored by the Canadian International Development Agency and is designed to expand knowledge and understanding of public-sector accounting and auditing as practised in Canada to help participants address auditing issues in their home environment.

Mr. Speaker, I would like to introduce Mrs. Maria Guevara from Chile; Mr. Steven LaRocque from the Dominica; Mr. Hewa Samarawerra from Sri Lanka; Mrs. Mukda Kaiyarit from Thailand; Ms Narjess Sellami from Tunisia; Mrs. Donna Bigelow, program co-ordinator, international affairs, office of the Auditor General of Canada in Ottawa; Ms Kimberley Speek, administrative co-ordinator with CCAF in Ottawa; and Lori Trudgeon, communications co-ordinator for the office of the Auditor General of Alberta. Again, they are seated in the Speaker's gallery, and I would ask them to please rise and receive the traditional warm welcome of the Assembly.

**Mr. Snelgrove:** Mr. Speaker, we've simply been invaded today by a group of wonderful young school kids from Kitscoty, and they inform me that their teachers have offered to take them camping for three days after their visit here, so school isn't like it used to be. They're accompanied today by their teachers Mr. Kim Aitken and Mrs. Eleanor Parr and their parent helpers Mr. Wayne Cundliffe, Mr. Jason Simpson, Mr. Donald Kent, Mrs. Sharon Williams, Ms Chris Reimer, Mrs. Suzanne Hutchinson, and Mrs. Maxine Jones. I would ask the parents and the students to all rise and please accept the warm welcome of this Assembly.

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

**Ms Kryczka:** Thank you, Mr. Speaker. This afternoon I'm very pleased to introduce to you and through you to members two employees of the government here in Edmonton. I would just say that basically life is certainly always full of changes, including for my colleague MLA for Vermilion-Lloydminster and myself, but I'm very pleased to introduce to you Warren Chandler, who has been our assistant in the Legislature for the past year and a half. We've certainly enjoyed working with him, but he's now moving to a new position with the Minister of Human Resources and Employment.

I'd like to very favourably introduce Leah Ritz, our new assistant, who is a recent graduate of Carleton University who majored in marketing and minored in psychology. She has worked in the House of Commons for Stockwell Day, MP for Okanagan-Coquihalla, and I would say that there certainly is political blood running through her veins. Her father is Gerry Ritz, MP for Battlefords-Lloydminster.

I would like to invite these two young people to rise and receive the traditional warm welcome of this Assembly.

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

**Mrs. O'Neill:** Thank you very much, Mr. Speaker. It's a pleasure to introduce to you and through you to members of this Assembly three friends and co-workers who are seated in the members' gallery. They are Amy and Campbell Mackenzie and Laura Harrison. They are co-workers in many ways, and I would like to ask them to stand and receive the traditional warm welcome of this Assembly.

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

**Dr. Taft:** Thank you, Mr. Speaker. I rise today with a very special introduction. Several weeks ago a young boy in grade 2 wrote me a very nicely printed letter expressing his concern with staff losses at his school. He was concerned about the fate of his teachers and especially of the school's librarian. I was so impressed with the letter, I presented it to this Assembly, and today I'm able to introduce to you and through you to all members of the Assembly the boy who wrote it. His name is Joseph Landy, and he is in the public gallery. Would you please stand, Joseph? Thank you. With him are his parents, Francis and Bennett. Would the rest of the family and his guests also rise and receive the warm welcome of the Assembly.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

**Dr. Massey:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to members of the Assembly Doreen Vanderstoop. Doreen is a parent advocate with PACE, Parents Advocating for Catholic Education. She's part of the group that was here earlier this morning to present the letter of letters, and it spread from one end of the mall to the other. Doreen is in the public gallery, and with your permission I'd ask her to stand and receive the traditional welcome of the Assembly.

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

**Dr. Pannu:** Thank you, Mr. Speaker. I've got two introductions today. I'm very pleased to rise and introduce to you and through you to the Assembly a strong supporter of public education who traveled up from Calgary this morning to join with other parents at 11 o'clock on the steps of the Legislature to make a statement on the underfunding of education in this province. She is here now in the Assembly to watch it work. Carol Bazinet is a concerned parent and president of Calgary Association of Parents and School Councils and a

longtime advocate for children and public education. I would now ask her to please rise and receive the warm welcome of the Assembly.

Mr. Speaker, I am truly delighted to introduce two very special individuals this afternoon. They are my constituent Mike Kalisiak and his proud dad, Stan Kalisiak. Mike has just completed his MD program, so I guess we can call him doctor now, and he will be pursuing his further training as a dermatologist. His proud dad, Stan, has come all the way from Poland to celebrate Mike's graduation. These guests are seated in the public gallery. I would ask them to now stand and receive the warm welcome of this Assembly.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I'd like to introduce to you and through you to members of the Assembly two guests today, Jaime Kochan and Michael Buurman. Jaime is a recent graduate from the Faculty of Education at the University of Alberta, and she has become disenchanted with the prospects in her profession in the province at the moment and has thus opted for a job in the United Kingdom.

My second guest, Michael Buurman, has completed his third year at the University of Alberta in political science. This summer, I'm happy to say, Michael will be the STEP student for the New Democrat opposition caucus. I would now ask that both Jaime and Mike stand and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Government Services.

**Mr. Coutts:** Thank you, Mr. Speaker. It gives me a great deal of pleasure today to introduce two people that I see sitting in the members' gallery. One is a nice young lady from Edmonton here, a bright, energetic, and very talented flautist.

**Mr. Norris:** Like all Edmontonians.

**Mr. Coutts:** Like all Edmontonians.

She's doing a few days' temporary work in the offices of Government Services here in the building this week. I'd like to introduce Sara Kalke.

Sitting beside her is a fellow that needs absolutely no introduction to the Assembly at all, Brian Hlus, who is a familiar name and a familiar face around here. They're both sitting in the members' gallery, and I'd ask them both to please rise and receive the traditional warm welcome of the Assembly.

1:40

**The Speaker:** The hon. Member for West Yellowhead.

**Mr. Strang:** Thank you, Mr. Speaker. It's with great pleasure that I rise today and introduce to you and through you some special guests from the town of Hinton. I have 59 great young people from the Gerard Redmond school along with their parents, helpers, and also two teachers, Ms Best and Miss Dawson. At this time I'd like them to please rise and accept the warm welcome of this Assembly.

head: **Oral Question Period**

### Education Funding

**Dr. Nicol:** Mr. Speaker, today Edmonton public schools announced the layoff of 450 teachers. That's 10 percent of the teaching staff. Cutting the teaching staff by 10 percent is expected to increase class size by 10 percent. To the Premier: why should parents take the

news that their children will have class sizes 10 percent larger next year, and what can they do about it?

**Mr. Klein:** Mr. Speaker, I don't blame parents for asking what's going on. Indeed, a lot of people are asking what's going on. Since 1996 – and the Liberals know this – funding for the Edmonton public board has grown by 53 percent, almost eight times greater than the enrollment rate. Funding has grown by eight times the amount of the enrollment rate. So something is going on. What is happening here? That includes a substantial portion of increased dollars this year at a rate much higher than enrollment . . .

**An Hon. Member:** Keep reading.

**Mr. Klein:** Yes, I'm going to read it. If you would open your ears and listen . . .

Enrollment is flat. Funding is going up.

**An Hon. Member:** Why can't you manage?

**The Speaker:** The Premier has the floor.

**Mr. Klein:** Mr. Speaker, they have a problem managing. They have a problem listening.

The management is the school board. We have given them a 53 percent increase since 1996. Enrollment has gone up 8 percent. Enrollment this year is flat. Increased funding has been given. That is managing on our part.

Mr. Speaker, I understand from the Learning minister that this budget is preliminary. The final budget won't be handed down until June. I understand also that the Learning minister will work closely with the board to have a look at the budget to determine what is the problem here. What is the problem here with a 53 percent increase – 53 percent – when enrollment is only 8 percent? All these educated people over there can't seem to understand it. They should perhaps go back to school and learn that 53 percent does not relate to an 8 percent increase in enrollment. You know, that is simple mathematics. Some of those people are professors. They should be going back to elementary school.

### Speaker's Ruling Decorum

**The Speaker:** I'm going to recognize the Leader of the Official Opposition. Also, I know that there is some tradition of heckling that does go on in the parliament, but we have a large number of school kids here in the Assembly as well. So I'm going to ask for a greater attempt at decorum.

The hon. Leader of the Official Opposition.

### Education Funding (continued)

**Dr. Nicol:** Thank you, Mr. Speaker. In constant dollars, there's been no increase.

To the Premier: is there any limit on how big classes can get before this government will do something about funding?

**Mr. Klein:** Mr. Speaker, in constant dollars, there has been an increase. The reality of the situation is a 53 percent increase since 1996. Those are real dollars. Those are not paper dollars. Those are not dollars on paper. A 53 percent increase in dollars including a fairly substantial increase in education funding this year, with enrollment this year remaining flat and enrollment generally over the

last six or seven years being about 8 percent. That is constant. Those are real dollars.

Mr. Speaker, the opposition knows as well that we have struck a Commission on Learning. That Commission on Learning will report, I believe, in September. It's to study and to make recommendations to government on all aspects of education including governance, including the union situation, including classroom size, including sparsity and distance, including transportation. Virtually every component of education will be examined, and there will be recommendations apropos to the various components of education.

Hopefully, we will be able to bring about through those recommendations sustainability in education, Mr. Speaker, because that's what we all want to achieve. We want to make sure that Alberta students are getting the best education possible. We want to make sure that Alberta taxpayers are getting value for their dollars in the school system, whether they're property tax payers or whether they fund education through the general revenue fund. We want to make sure, most of all, that the system is sustainable for the future. Our approach is simply not to throw more money at the system and create deficits and debt. That is the Liberal way. That is not the Conservative way.

**Dr. Nicol:** To the Minister of Learning: given that teacher layoffs in Calgary and now in Edmonton are a concern to all Albertans, why aren't they a concern to this minister, and what are you going to do about it?

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

**Dr. Oberg:** Well, thank you very much, Mr. Speaker. They certainly are a concern to this minister, but so is our budget. So are taxpayer dollars. So is assuring that taxpayer dollars are spent in the best possible fashion.

Mr. Speaker, today at around lunchtime Edmonton public put out a scenario that I believe is the worst case scenario. They have an increase in their budget this year of \$17 million for zero percent, flat enrollment. They're actually projecting about .02 percent, or about an increase of 20 students, so they're talking \$17 million for an increase of 20 students. They're also talking about another \$25 million that they say they're short. So \$42 million for essentially the same enrollment, no new students. They've talked about closing schools, and indeed they have looked at closing some schools, which, again, will save them some money.

I had a meeting with them about the audit, yesterday morning as a matter of fact, Mr. Speaker, and they told me some very good things that they were doing. They were looking at their school-based budgeting. They were looking at moving those schools. They were running 92 and 94 percent on salaries down to 85 percent. But the bottom line is that there's a significant amount of dollars that are going in there. I will be working with Edmonton public over the next few weeks before they finalize their budgets, and we'll be seeing exactly how those dollars are being spent.

### Postsecondary Education System

**Dr. Nicol:** Mr. Speaker, yesterday the government broadened its attack on education to include postsecondary students. Bill 43 attacks the legitimacy of student governments. Under this act it will also remove what little protection there has been for students against skyrocketing tuition fees. To the Premier: why under Bill 43 has this Premier taken away even the small protection that postsecondary students used to have against rising tuition fees?

**Mr. Klein:** Mr. Speaker, absolutely nothing has been taken away. Legislation is being contemplated to make sure that that legislation is fair and equitable to the students and indeed that the 30 percent of operating cap is the right cap. If it needs to be adjusted through legislation, it will be adjusted.

I'll have the hon. minister supplement.

**Dr. Oberg:** Thank you, Mr. Speaker. I'm absolutely shocked at that question from this member. This is a person who is employed by the University of Lethbridge who has been actively lobbying to change the tuition fee policy. As the hon. member adequately knows, as he fully knows, the University of Lethbridge and the Lethbridge Community College, in his community, reached the 30 percent cap by doing a lot of efficiencies, by running a very good ship. The University of Lethbridge, I believe, has had a freeze for one or two years on tuition. Lethbridge Community College has had a freeze for three years when it comes to tuition. They were in the position where they were looking at things that they would have to do because the dollars were not coming in and their tuitions were significantly – significantly – lower than the rest of the system.

So, Mr. Speaker, what we are doing in the proposed legislation that is now before the Assembly, that will not be discussed further probably until the fall sitting, is we will be looking at the tuition policy. We will be looking and seeing exactly how we can fix the tuition policy so that your institution – your institution – can benefit from this, so that the institution you work for can benefit from this. What I fully anticipate is that there will be no change in the 30 percent cap, that there will be some kind of situation made for those ones that have already reached the 30 percent cap through good management. The student groups are fully aware that they will be consulted on this. They're fully aware that they will be part of the decision-making and indeed will be part of the decision-making.

1:50

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

**Dr. Nicol:** Thank you, Mr. Speaker. But he takes it out of legislation and puts it into regulation.

To the Minister of Learning: is it democratic for this minister to give himself the power of removing elected members of a students' union?

**Dr. Oberg:** Mr. Speaker, one of the issues that was brought before me by the colleges and technical schools was a situation where if there was a student association that was not doing the job, if there were issues with the student association, there needed to be something done about that. We have done what the colleges said, but again the reason behind introducing the bill yesterday is so that it can sit over the summer. I talked to a representative from CAUS yesterday afternoon about this situation, and we will certainly look at it. We are open to amendments. This is to get the discussion out on the floor, get the discussion going about what is happening in postsecondary institutions right now. We will be deciding over the summer. If there are any issues from anyone in this Assembly, including the opposition, I would welcome their input on this as we continue to look at the bill over the summer.

**Dr. Nicol:** Mr. Speaker, it's too bad he didn't consult with them first.

Is it democratic for this minister to ban strikes by faculty or graduate students or support staff at universities?

**Dr. Oberg:** Again, Mr. Speaker, the hon. member is not talking to

his own institutions in his own backyard. He fully knows – he fully knows – that they were one hundred percent consulted and were in favour of this bill prior to it being brought in. I think it's about high time that the hon. member started talking to his own institutions.

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

### Education Funding (continued)

**Dr. Massey:** Thank you, Mr. Speaker. On March 19 I asked the Premier how many more bad-news stories he had to hear before the government adequately funds Edmonton schools. In his response the Premier said: "This is . . . shameful. It is not the truth. There are no budget cuts." Only an hour and a half ago, Mr. Premier, Edmonton public announced that 450 teachers will be cut, not laid off. They were told in their schools yesterday that they will not have a job in September. Four hundred and fifty of them. My question is to the Premier. Given the cuts to teachers in Edmonton public, does the Premier still stand by his statement that there are no budget cuts?

**Mr. Klein:** Stand by it? Mr. Speaker, I more than stand by it. I stand up for it. How can this person, this individual who is a university professor, construe a 53 percent increase in funding to be a budget cut? How can he construe a substantial increase in funding this year - increase in funding this year – to be a budget cut? If he is representative of the kind of teaching and the kind of math being used in universities today, then those institutions or at least the teachers in those institutions need to be examined.

**Dr. Massey:** Again to the Premier: how can the Premier tell Edmonton parents who are losing their teachers that there are no budget cuts? How can you tell them that, Mr. Premier?

**Mr. Klein:** Mr. Speaker, I can tell them precisely this: there has been a 53 percent increase over the past six or seven years. A 53 percent increase is not a cut. That is elementary, sir. A 53 percent increase is not a cut. A cut would be a 53 percent decrease. You understand that? A decrease is when you remove money and it goes down. An increase is when you add money and it goes up. You've got that? Do you need a chalkboard? [interjections]

**The Speaker:** The hon. Member for Edmonton-Mill Woods has the floor.

**Dr. Massey:** If you can't see the teacher, the teacher has been cut. My third question is to the Premier. Given that the government interference in the teachers' collective bargaining created this crisis – you started it – will the government do the right thing and end the crisis before September by adequately funding those school districts, not just Edmonton public but three other boards in this province?

**Mr. Klein:** Mr. Speaker, there was adequate funding provided. I understand the settlement cost them \$36.8 million. We provided I believe it was \$41 million.

Mr. Speaker, I take great exception to the assertion that we interfered. Indeed, we proposed an arbitration process that was through consultation with the union, with the Alberta School Boards Association. Indeed, the arbitration process involved the ATA, the teachers' union, appointing their representative, it involved the ASBA appointing their representative, and it involved the government appointing a representative. So this was not an arbitrary,

dictatorial decision on the part of the government. This was a decision that was reached through consultation and with participation of the three parties involved.

**The Speaker:** The hon. leader of the third party, followed by the hon. Member for Highwood.

**Dr. Pannu:** Thank you. Well, now it's clear, Mr. Speaker. We now know that the Tory government doesn't care about education and is content to sacrifice a generation of children at the altar of a political grudge match with teachers. School board after school board is sending teachers packing, increasing class sizes, and axing important education and community programs. The Learning minister plays the fiddle and the Premier cheers on while a once proud education system burns. My first question is to the Premier. Given that students, parents, teachers, and school board officials all agree that this government has created a crisis, when is the Premier going to stop pretending that everything is dandy, stop blaming everyone else, and acknowledge that his government has failed Albertans?

**Mr. Klein:** Mr. Speaker, again coming from another university professor who obviously can't do his math but is either very, very shortsighted or totally blind, because there happen to be 74 of us here, and there are only two of them there.

**Mr. Mason:** Not for long.

**Mr. Klein:** Not for long? He says, "Not for long." He's absolutely right. There will be zero sitting there.

Mr. Speaker, we do our very, very best for education. A 53 percent increase over the past six or seven years is not bad. An 8 percent enrollment to be covered by a 53 percent increase I think is responsible.

I have in front of me – and there's not enough time – page after page after page of success stories, wonderful stories coming from Alberta's education system of students who are making remarkable achievements, of teachers who are making remarkable contributions, of schools that have embraced and developed tremendous spirit and camaraderie. Mr. Speaker, when I look at the students in the gallery today, I see bright, shining students, good examples of the education system.

It is so typical of the NDs and the Liberals to focus on the negative. They have absolutely nowhere else to go, so they only talk about what is wrong. But the normal Albertan, Mr. Speaker, understands what it is to try your darndest to do the right thing for Albertans. That's why there are 74 of us, and that's why there are only two of them.

2:00

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

**Dr. Pannu:** Thank you, Mr. Speaker. The Premier is either misinformed or he's out of touch. Does he really expect us to believe that parents, students, teachers, and school boards are wrong and he is right?

**Mr. Klein:** Mr. Speaker, it's not a matter of who's right or wrong. We try to do the best we possibly can. We set our budgets based on the best projections that are provided to us by the school boards and by the administration of government.

**Dr. Pannu:** Listen to school boards.

**Mr. Klein:** We do listen to school boards. As a matter of fact – and

I don't have the letter with me – it would give me a great deal of pleasure, if someone could retrieve the letter for me, to table a letter received from Don Fleming, the chair of the Edmonton public school board, right after the budget congratulating in no uncertain terms a particular MLA for bringing in such a fine and responsible budget. To paraphrase the letter, it said, "Good work; keep it up," something to that effect, and that was from the chair of the public school board. So, Mr. Speaker, people don't take it when he says that we don't listen to school boards, especially when the chair of the school board acknowledges that, indeed, we listened to them and responded to their concerns.

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

**Dr. Pannu:** Thank you, Mr. Speaker. My last question to the Premier: how can the Premier deny that education will suffer when hundreds of teachers are being let go? How does he explain that?

**Mr. Klein:** Mr. Speaker, I'm going to have the hon. minister respond, but the budget that has been tabled is an administrative budget. I understand that the final budget won't be tabled until June. Between now and then the minister and the people in his department will be working with the school board to find out what has gone askew, particularly in light of increased funding and flat enrollments.

I'll have the minister respond as to what he intends to do.

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

**Dr. Oberg:** Thank you very much, Mr. Speaker. I think there needs to be a couple of things said here. First of all, the hon. member is questioning our commitment to education. In this budget what you see is a 4.9 percent increase in all of learning. You see, for example, in Edmonton public \$17 million. The other point that I will make is that my personal budget for my department actually went down \$4 million, so there has been less than a zero percent increase in my budget because I put every cent that was available out to the schools, out to the school boards, out to the postsecondary education institutes.

What we will be doing is working with Edmonton public. The numbers from them are just not adding up. We will be working with them over the next couple of weeks with respect to their final budgeting procedure to determine exactly what they're doing. To sum it up, they received \$17 million, no new students, and they're \$25 million in the hole. Mr. Speaker, there's something really wrong with that.

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

#### School Operations and Maintenance Funding

**Mr. Tannas:** Thank you, Mr. Speaker. My questions today are to the Minister of Infrastructure. All three school boards in Highwood are experiencing great difficulties in meeting this year's school operations and maintenance budget owing to high fuel costs and low provincial allocations. The Department of Learning has a per student formula for the learning costs. Why couldn't an operations and maintenance formula which factored in the varying costs of heating fuel and electricity be part of the infrastructure formula for the operations and maintenance of our school buildings, which are under your charge?

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

**Mr. Lund:** Thank you, Mr. Speaker. Currently we do use a formula. The formula is based on so much per square foot, and that's the major component of the formula. That is to take into consideration the cleaning, the very minor repairs, the fuel, the heating, the electricity, and those types of things. Then we also add to that, based on the utilization, the second most important component, starting at a base level, and that's figuring the utilization in at 50 percent and then escalating as you move up to an 85 percent occupancy, which is considered to be a hundred percent. Then there are some other factors that come into the whole formula as well relative to distance from the shop and a few other situations.

Now, there have been suggestions – and perhaps this is what the hon. member was suggesting – that, in fact, you'd have one component that would be only for the utilities operation. We believe that school boards would much prefer to have the whole operation and maintenance rolled into one bulk sum, as we do today. There are a number of reasons for that. In fact, if you have a number of new schools, they're probably much more efficient than old ones, so to make the formula fair, you'd have to take that into consideration. We're also very anxious to encourage better utilization of the dollars as far as utilities are concerned. So unless we hear a lot more, we intend to stay with the current way where it'd be a block fund.

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

**Mr. Tannas:** Thank you, Mr. Speaker. My final question is also to the Minister of Infrastructure. Mr. Minister, what plans and policies do you have in place to help school systems avoid canceling the programs for summer grounds maintenance and canceling their summer building repairs and maintenance programs in order to financially balance their overstressed operations and maintenance budget?

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

**Mr. Lund:** Thank you, Mr. Speaker. We're aware that, in fact, a number of school boards are having some difficulty because of the escalating costs in utilities. I recognize that there's really not a lot of extra money available in that operating and maintenance component of their budget. We are asking all school boards to let us know what the additional costs are so we can analyze that and perhaps move forward with something in the near future.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Cardston-Taber-Warner.

#### Electricity Transmission System

**Mr. MacDonald:** Thank you, Mr. Speaker. Yesterday the Premier stated that the increases for additional transmission costs for electricity would be minuscule. This government's disrespect and neglect for electricity consumers, unfortunately, continues. Last week consumers learned that they're going to be hit with another costly \$2.6 billion bill over 10 years on their monthly power bill, and that does not include the construction costs for new power lines. To the Premier: who would be responsible to pay for the Alberta section of transmission lines from Fort McMurray to the U.S. border built solely for export purposes?

**Mr. Klein:** I don't think it would be solely for export purposes. Mr. Speaker, I'll have the hon. Minister of Energy respond, but I can't see in my wildest dreams why a generator of electricity and a company responsible for transmitting would build a line here and a

line there, one for Alberta and one for export to the United States. An electron is an electron is an electron, and it moves down the same wire. I'll have the hon. minister respond, but I just don't see how it would make economic sense.

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

**Mr. Smith:** Thanks, Mr. Speaker. I want to correct the preposterous distortions of the member that he continually makes. I don't know who's writing his questions, but he knows full well that consumers will not be faced with a transmission increase charge until, one, the EUB has determined there is a need for the line; two, the transmission company builds the line; three, they go back to the EUB and they ask for a rate of return, cost allocation, customer service. This guy is so out to lunch. There is hardly any reason at all to answer his questions – they're so preposterous – but in the interests of serving the House, as has been common knowledge for just about the last 12 months, no transmission cost will be associated to consumers in Alberta for export, period. If there is a cost on the line, it will only be for the proportion that customers use.

When he refers to consumers, Mr. Speaker, it's most important that I correct him that it is all consumers. It is businesses. It is industry. It is commercial enterprises. The residents use 11 percent of the power in Alberta. Power is four to five times more expensive than generation, so it only makes sense to have transmission that is used for the benefit of Albertans. This is to put downward pressure on electricity costs.

2:10

**Mr. MacDonald:** Mr. Speaker, again to the Premier: given that this government is considering joining the Regional Transmission Organization West, which is a step toward further integration with the Pacific Northwest grid of electricity in the United States, what advantages and disadvantages are there for Alberta consumers in joining this Regional Transmission Organization West?

**Mr. Klein:** Mr. Speaker, if that question is for me, it's a question that, obviously, involves a lot of detail in its answer, and I'll have the hon. minister respond.

**Mr. Smith:** Mr. Speaker, RTO West is the regional transmission organization for the western United States. This is a part that British Columbia is also looking at being involved in. It's also looking at: where could Alberta fit? Are we considering joining that organization? The answer is no. The answer is that they haven't even responded with saying: "Can we get involved with it? Should we get involved with it?"

What we're looking for, Mr. Speaker, in the export principles is: firstly, do Albertans get served with the cheapest amount of electricity generation? Secondly, if more generation is produced than what is consumed, do people have an outlet for it to get it to other markets? Just as we created a tremendous supply of natural gas through the postage-stamp transmission model, we then found ways to export it by building a new pipeline. The policy in Alberta is no different. The association with other groups and RTO West, a different transmission organization, is nothing more than conjecture or speculation.

**Mr. MacDonald:** Again, Mr. Speaker, to the Premier: can the Premier tell Albertans how much their electricity bills will increase each month so that they can pay the \$2.6 billion additional over 10 years that they have been downloaded with as a result of the Minister of Energy's decision last week? How much every month?

**Mr. Klein:** Well, Mr. Speaker, as the hon. minister pointed out, the preamble to the question was preposterous to say the least. The increase is not predicated on that figure at all, and I'll have the minister once again explain the facts.

**Mr. Smith:** Mr. Speaker, if only in this House could we have the rule of Pinocchio that when you tell a mistruth, there's a physical change, this guy's nose would be over his desk.

**The Speaker:** The hon. Member for Cardston-Taber-Warner, followed by the hon. Member for Edmonton-Riverview.

#### EPCOR/Aquila Billing Practices

**Mr. Jacobs:** Thank you, Mr. Speaker. Some of my constituents are continually astounded at the high charges on their electricity bills when the cost of electricity is supposed to be going down. Customers have been seeing higher costs and new charges on their EPCOR/Aquila bills. Now when energy rate riders are supposed to expire at the end of this year, many of my constituents are being told by EPCOR/Aquila that their rate riders will extend through 2004. My question to the Minister of Energy: can the minister explain why and how this is happening?

**Mr. Smith:** In fact, what we do know is that the concept of deregulation works because in the service areas not served by Aquila/EPCOR we have seen positive downward pressure on electricity prices. We have seen the increase of some 3,000 megawatts of electricity without adding any consumer debt, as is the case across Canada. In this particular service area there have been commercial failings, Mr. Speaker. That has resulted in 12,500 customers falling between the cracks out of a total population of 350,000. That's EPCOR's responsibility. They have applied to the board, and they have received permission to charge that. I'm in the process of phoning EPCOR today and saying: folks, if you really want to compete in the marketplace, maybe you can do something for the customer for a change and forgive those rates.

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

**Mr. Jacobs:** Thank you, Mr. Speaker. My final question, also to the Minister of Energy. Insofar as what you've said, could I just further ask you: is this decision by EPCOR and the EUB appealable or reversible?

**Mr. Smith:** Mr. Speaker, this is a process that was in place under the regulated rate option and under the regulated rate system. In fact, when people get the opportunity with the passage of Bill 3 to make choices on how to buy electricity, to buy it combined with their gas, to make these contract decisions, they won't have to worry about a utility coming back and asking them for more money. They'll get one contract, one rate, and one level of consumption.

Is this appealable? I don't know. We're into the middle of that, but I think EPCOR should just do the right thing.

#### Air Quality at Holy Cross Hospital

**Dr. Taft:** Mr. Speaker, yesterday the Minister of Infrastructure admitted that tests for toxic mold had been conducted at the Holy Cross hospital. Despite our request that this information be released immediately, the minister refused to make the test results public. To the Minister of Infrastructure: given that it is well known that toxic molds can lead to serious health problems up to and including bleeding of the lungs and even cancer, what policies does the

Department of Infrastructure have for responding to buildings that test positive for these molds?

**Mr. Lund:** Mr. Speaker, I think it's important that we once again set the record straight. The fact is that back in 2001 we were looking for a place to house the Court of Appeal in Calgary. One of the things that we had to do as we were looking at any location was do an indoor air quality examination. At one point we were looking at four sites. One of them was the Holy Cross hospital in Calgary. The process started. There were a number of factors taken into consideration, not just the air quality. The decision was made as far as the Holy Cross that it was not a suitable location, not necessarily to do with the air. As a matter of fact, when you look at a hospital, it has an air exchange that exceeds a normal commercial building's. We do know that the process started. I don't believe it was ever completed. We do not have in our possession, as far as we can determine, any final results relative to the testing on that site.

As far as molds are concerned, Mr. Speaker, there are over a thousand different varieties of mold. Just a small percentage of them are toxic. So just because you would happen to find a sample of mold in a building doesn't necessarily mean that it's toxic. There have to be a number of other tests done before that determination can be made.

**Dr. Taft:** He completely sidestepped the question, Mr. Speaker.

Given that there are 42 long-term care residents as well as doctors, nurses, and other support staff at the Holy Cross, can the minister assure Calgarians that all appropriate steps were followed when the test results were obtained from the Holy Cross?

**Mr. Lund:** Mr. Speaker, as I indicated, we cannot find any final results. As a matter of fact, as I said earlier, there has to be a lot of testing done in order to determine if there is a toxic mold. Clearly, under freedom of information if in fact there is in a building that we are responsible for – and that is a very important point. The fact is that that is not one of our buildings. We were looking at that building for one very specific use. If in fact it is a building that we own and operate and it is found through tests that there are toxic molds that could be injurious to health, we would release the results.

**Dr. Taft:** Your department did the tests. I hope they haven't lost the file.

Given that sitting on the results of the tests for mold at the Holy Cross vastly increases the legal liabilities to this government, why has the department chosen to sit on the results, or have they simply been lost?

2:20

**Mr. Lund:** Mr. Speaker, I very much take exception to the comment that the department did the tests. That is absolutely false. The department did not do the tests. As a matter of fact, as we were doing all of these buildings, I said that there was always the need to do an indoor air quality test, and the hon. member keeps on coming back and saying that in fact we were testing for mold. No, it's a total package of indoor quality tests.

As far as this building was concerned, we never completed because there were other issues that came up that ruled out this particular building. We do not own the building. We do not operate the building. So why would we continue to go in and determine what the air quality is when we were not going to be renting any part of it?

#### Aboriginal Youth Suicide

**Mr. Maskell:** Mr. Speaker, my question relates to my longtime

concern about the high percentage of suicide among aboriginal youth. During my many years as an inner-city high school principal I saw too many aboriginal youth arrive already caught in the failure cycle. In spite of our best efforts, it was often too late to help them find a way out. Tragically, too often they choose suicide. My question is to the Minister of Children's Services. What is the government doing to address the high rate of aboriginal youth suicide?

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

**Ms Evans:** Thank you, Mr. Speaker. The hon. member is right to be concerned about aboriginal suicide among youth. It's eight times as high as suicide among nonaboriginal children, and that's a tragedy. Eight ministries are currently working on it through the Alberta children and youth initiative. We are developing a strategy of working with communities, broadening our knowledge and our training, broadening our research capacity, and also coming forward to involve communities in solutions. We are on the threshold of providing our standing policy committee with a first look at that draft, and very shortly that will be part of our public policy discussion.

Thank you.

**Mr. Maskell:** Mr. Speaker, I appreciate that answer, but it begs another question, my first and final supplemental. Would the Minister of Aboriginal Affairs and Northern Development tell me how such a strategy by itself will solve the tragedy of young aboriginal people taking their own lives in such high numbers?

**Ms Calahasen:** Well, Mr. Speaker, the subject that we're talking about is a serious concern to all of us. As a matter of fact, I received some questions last night from the opposition as well on this issue. The youth initiative that the Minister of Children's Services just described represents another step in addressing native youth suicide and, of course, the heartache that it brings to families. It just adds another tool to help curb the high rate of aboriginal youth who reach such a state of despair and hopelessness.

The cross-ministry initiative that was just described will better connect communities into existing provincial programs, such as wellness programs, so that we can begin to see those that are culturally specific. Mr. Speaker, it'll also help the leaders of aboriginal communities take positive steps to address this issue. The ideal is to make sure that we create the conditions for hope and health among aboriginal youth, and we can do that by making sure they have jobs in the future and making sure they have a healthy atmosphere to work in.

#### Nitrous Oxide Engine Modification

**Mr. Bonner:** Mr. Speaker, the glamour of street racing will return this summer with the release of a new movie in theatres, *2 Fast 2 Furious*. In the movie nitrous oxide engine modifications are used to increase the power of engines by up to 300 horsepower. These nitrous oxide modifications are available in Alberta and are invariably used to propel racers to dangerous speeds on Alberta's streets and highways. To the Minister of Transportation: why is it legal to buy nitrous oxide engine modification kits in Alberta when these devices are used almost exclusively for illegal activities?

**Mr. Stelmach:** Mr. Speaker, I don't know if it's within the mandate of the Department of Transportation to monitor sales of various products through stores in the province of Alberta. However, when

it comes to safety, we do have fairly rigid rules in place monitoring and controlling various activities on Alberta highways. If a person was to put one of these kits in a vehicle and speed down the highway, of course they'd get caught for speeding, number one, and, number two, starting on Tuesday, May 20, would pay significantly increased fines for that kind of behaviour.

**Mr. Bonner:** To the same minister, Mr. Speaker: will the minister promise to restrict the vending and installation of nitrous oxide engine modifications to only those cars used exclusively for track racing?

**Mr. Stelmach:** Mr. Speaker, the hon. member does bring a good point with respect to some of the modifications on present vehicles on Alberta highways, and that is actually a point of consultation that we are undertaking with respect to a number of regulations under the Traffic Safety Act. One of those discussions is, of course, with the car rebuilders in the province and some of the modifications occurring to some of these vehicles, not only cars but motorcycles, where we find that some of the speed on these vehicles is excessive. Again, if done on the provincial highways, it's illegal. If done on some racing strip, fine – I mean, you take your life in your own hands at that speed – but on provincial highways it's definitely illegal behaviour.

**Mr. Bonner:** To the minister: will the minister introduce legislation which will restrict the use of nitrous oxide engine modification kits in Alberta?

**Mr. Stelmach:** Mr. Speaker, no. You know, to say to this House that the first thing on our schedule, at least in Transportation, is to introduce legislation prohibiting – no. Although we are looking at the feedback from various parties that we're consulting with on a whole bunch of issues including modifications to vehicles with mufflers, with lights, all changes to frame, and raising the back end of vehicles, et cetera, also equally dangerous. So there are all these discussions that are ongoing.

However, Mr. Speaker, I will say that this matter was raised in estimates by the hon. member, and I did indicate to that hon. member that I will be getting back to him in writing once we have answered all of the questions that were raised in estimates a couple of days ago.

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

### Education Funding

*(continued)*

**Mr. Mason:** Thank you very much, Mr. Speaker. Throughout the entire spring session the Minister of Learning has continued to assure this Assembly that there is no crisis in Alberta's education system. Now with teachers being laid off by the hundreds, schools closing, class sizes ballooning, and programs being cut, the minister's credibility is as low as an ant doing the limbo. My question is for the Premier. Given that Albertans are beginning to realize that while they have a popular Premier, they also have a lousy government, will the Premier explain why he just sat there while his minister painted a false picture for this Assembly?

**Mr. Klein:** Mr. Speaker, the minister did not – did not – paint a false picture for this Assembly, and he doesn't have to shrink to the level of an ant to get under a limbo stick. I would venture to guess

that he's far more limber than the hon. Member for Edmonton-Highlands in mind and body.

Mr. Speaker, the minister is highly regarded throughout the province and indeed is highly regarded by the chair of the public school board here in Edmonton, who wrote on April 29, not so long ago, to the minister expressing his sincere thanks and appreciation for the significant role he played in the government's decision to provide – and this speaks to the issue of reduced classrooms and so on – \$51 million to support Edmonton public schools. "Your support for our district and for public education in Alberta is appreciated," wrote Mr. Don Fleming. "I am also grateful for the efforts of the Capital Region Caucus, and have expressed my appreciation to individual members directly."

2:30

To me that doesn't sound like a lack of appreciation. This is a letter that I'm about to table from the chair of the Edmonton public school board. Now, how can this hon. member reconcile a letter of commendation with his remarks that the minister is not appreciated? How can he possibly reconcile that?

He goes on to say: we are confident that the funds are sufficient to create an exciting and revitalized Victoria school of the performing arts and that we can also address other district needs; we look forward to further acknowledging your contributions once the projects are complete.

Mr. Speaker, this is a letter of commendation. This is a letter of appreciation for the minister entirely contrary to what the hon. member says, that this minister is not appreciated. He is indeed appreciated, and this letter is only one, I'm sure, of many, many letters that the minister receives and that I receive commending the minister for his initiatives.

**The Speaker:** There also was a point of order raised by the hon. Government House Leader on that last question.

The hon. Member for Edmonton-Highlands.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, given that the letter the Premier refers to is actually directed at the Minister of Infrastructure for capital funding, how can the Premier justify misleading this Assembly once again about the crisis that's leading to layoffs of hundreds of teachers? Why would you get a letter of commendation for that, Mr. Premier?

**Mr. Klein:** Mr. Speaker, indeed, the letter is addressed – and I alluded specifically to the capital component because in his preamble the hon. member alluded to capital relative to schools. He alluded to a lack of classroom spaces when, indeed, we're adding \$51 million to build more capacity for, and I might add, fewer students.

Now, to speak to the issue of funding, I've spoken to that issue already relative to questions from the Liberal opposition. Again, here's a university educated individual who should be able to understand that a 53 percent increase is an increase, an increase in funding. A 53 percent increase is an increase. An 8 percent increase in enrollment is a much, much smaller increase. Mr. Speaker, what we are saying is that we have given a large amount of money to accommodate a very small increase. Comprehend?

**Mr. Mason:** Mr. Speaker, given that unlike some of my colleagues I'm not a professor, just a humble bus driver, can the Premier please explain to me why the government is giving so much money to school boards and they're still laying off hundreds of teachers? Why is that?



**Mr. Klein:** You know, Mr. Speaker, that is a good question to ask of the school board, and that is precisely the kind of question the hon. minister will be asking of the school board. This, I believe, is what has parents confounded. How can you be talking about laying off teachers when you get a substantial increase in funding for a flat enrollment on top of a \$51 million bump in funding for school infrastructure? How can you possibly get an increase in funding, a decrease in enrollment, and talk about laying off teachers? This is precisely what the minister will be talking to the school board about.

head: **Members' Statements**

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

#### **Business Revitalization Zones**

**Mr. Lord:** Thank you, Mr. Speaker. Today I want to rise to say a few words about business revitalization zones, one of Alberta's great little success stories. About 20 years ago this province enacted legislation to allow small business owners to get together, get organized, and get active in revitalizing their communities. Since that time, dollar for dollar BRZs have done more good for more people for less money than just about any other single initiative I know of. It is unfortunate that so few Albertans know much about BRZs.

My own involvement began in 1985 when I became founding chairman of the South Calgary Business Revitalization Zone, almost the first BRZ in the province. We promptly renamed the area the Marda Loop, and the then mayor of Calgary, now our Premier, officially cut the ribbon for us at the very first provincial BRZ promotion, the Marda Gras summer festival, which I'm proud to have helped initiate as well. Later I became chairman for the Federation of BRZs, the umbrella organization representing some 5,400 small businesses in some 40 different BRZs across the province. I also managed to help initiate the Victoria Crossing BRZ, and those people were very instrumental in resolving the 30-year expansion battle between the Calgary Stampede folks and the Victoria Park community.

Now, having been so involved over the years and watching how small business entrepreneurs put aside arguments, ideology, egos, and grandstanding to arrive at intelligent, commonsense, pragmatic solutions to just about every community issue they face, I am personally of the opinion that if we just funded BRZ small business-people and put them in charge of solving lots of local issues, we'd get the biggest bang for our buck of all. These people are truly champions of innovation combined with pragmatism. They never would have survived in the small business environment if they weren't really good at problem solving.

So I congratulate all the many hundreds of BRZ volunteers across this province over the past two decades for all their accomplishments in transforming and revitalizing their local communities and main streets, solving local issues, and once again proving that small business is the backbone of our community and our quality of life.

Thank you, Mr. Speaker.

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

#### **Queen's Golden Jubilee Medal Recipients**

**Ms Kryczka:** Thank you, Mr. Speaker. In 2002 when MLAs were asked to submit their recipient lists to the Minister of Community Development for the commemorative medal for the Queen's golden jubilee, my level of enthusiasm was at best lukewarm, but knowing that MLAs should always welcome opportunities to recognize

individual achievements, I complied with the request. Months later the recipients package arrived and with the help of my creative and practical-minded constituency assistant, Lisa Hofmeister, we planned a special ceremony that truly was a personal highlight of my MLA career to date largely because of the true importance of the occasion to the recipients and their families.

On Saturday morning, May 3, a student of the bagpipes stood outside the constituency office door and roundly welcomed seven worthy recipients of the commemorative medal for the Queen's golden jubilee and their families and friends to the Calgary-West office. By 10 a.m. there were 25 proud recipients, families, and friends crowded into the recently tidied, vacuumed, and dusted constituency office.

During a special ceremony, which I emceed, seven Calgarians of all ages were individually honoured: Wilbur Griffith, centenarian, Alberta and Calgary pioneer, and very successful businessman who will be long remembered for his Griffith Woods legacy to Calgarians; Doris Griffiths, posthumously, community activist; Kelly Kryczka, silver medalist Olympian in synchronized swimming, member of the Alberta Sports Hall of Fame and Museum, and presently an international masters gold medalist in synchronized swimming; Dave Rodney, teacher, humanitarian, and the first and only Canadian to summit Mount Everest twice; Jamie Sorenson, a young entrepreneur and political activist; Bert Sparrow, community volunteer and chair of Persons with Developmental Disabilities Provincial Board; and Dr. Barrie Strafford, entrepreneur, humanitarian of Third World countries, founder of two chairs at the University of Calgary, in geriatrics and in Alzheimer's, and a honorary doctorate from the University of Calgary.

In closing, we served tea in my mother's English china teacups, set out the china teapot and lace tablecloth, and the recipients stayed to share stories and special moments with each other and all of us. It was truly a very proud, special occasion for all.

Thank you.

**The Speaker:** The hon. Member for Banff-Cochrane.

#### **Karalee Derksen**

**Mrs. Tarchuk:** Thank you, Mr. Speaker. I rise today to give special recognition to Karalee Derksen, a very talented 12-year-old student at Banff elementary school. Karalee's eloquence and thoughtfulness have made her this year's winner in the junior essay category of the National Literacy and Poster Contest, which is sponsored by the Royal Canadian Legion.

Karalee's essay was part of a class assignment last fall for which students created poems, posters, and essays. Karalee's poster and poem won her regional awards, but it was her reflections on war that won her national attention. Her essay is entitled Remembrance Day and is certainly worthy of sharing with the members of the Assembly this afternoon.

On Remembrance Day, we wear a poppy to show that we remember those who died, fighting in war.

War is a terrible thing. It is not fun with action figures or toy guns. It is not a game. War has killed millions and millions of people.

In Flanders Fields, many soldiers fought and died. The graves represent the war and those who died for us. The poppy, growing out of the grave, represents hope. Because of those men and women giving their lives, we can have life. The poppy is a new and vibrant life growing out of the sacrifice of others.

These soldiers had such courage that they deserve to be honoured. But let us also remember those who survived and live with horrible memories and frightening images that time can not erase.

In both 1914 and 1939 young men all across Canada sacrificed future dreams, relationships with those they loved and personal ambitions to fight for their country. Some returned, but many did not. In both 1918 and 1945 those who returned came home with minds and bodies in pain.

In so much darkness, pain and loss, the only light was the bright red poppy. This poppy shows us that our friends died so that we could have life. Their sacrifice was not in vain.

Why should we wear a poppy on Remembrance Day? So we can show the world how these soldiers gave up their lives for our freedom and our country.

Mr. Speaker, I think members will agree that Karalee is well deserving of our recognition today, and I ask everyone to please join me in congratulating this young and gifted Albertan.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

## 2:40 Public Education System

**Dr. Massey:** Thank you, Mr. Speaker. Our province has always been blessed with citizens willing to stand up and take action when the interests of children and youth needed to be furthered or defended. At one time parents could appeal to their local school board and when needed involve themselves in school board elections to have their concerns for schools addressed. Unfortunately, the government has financially emasculated school boards, centralizing control and wiping out any real autonomy over their financial resources. The past decade of changes and underfunding of public education has stirred parents to action as never before in the history of our province.

So with the voice of school boards muted parents have raised theirs. When class time for kindergarten children was cut, a group of Glenora parents came to the fore and spoke up for those young Albertans. A past president of the University of Alberta made a personal plea to each member of this Assembly to have kindergarten funding restored and eventually won the day. When budget cuts resulted in larger classes and fewer classroom resources, the Edmonton parent group SOS, Save Our Schools, was born and launched a provincewide petition campaign.

In terms of constant dollars Alberta schools haven't seen an increase in school allotments since the early 1990s. The chronic underfunding has fired up parents to a degree this province has never seen. Their voices have been raised in the interests of children and excellence in public education. The Calgary Association of Parents and School Councils, APPEAL, PACT, Edmonton advocates, the Whitemud Coalition, the Riverview Coalition, and PACE, Parents Advocating for Catholic Education, are all speaking out.

These parents deserve our thanks and our support. More importantly, they deserve the ear of the government as well as a swift and adequate response to their complaints about the erosion of public education in this province.

Thank you.

## head: Notices of Motions

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

**Mr. Hancock:** Thank you, Mr. Speaker. I give oral notice of the following two motions, which will be on the Order Paper for use if necessary. The first motion reads as follows:

Be it resolved that when further consideration of Bill 42, Electoral Divisions Act, is resumed, not more than one hour shall be allotted to any further consideration of the bill at Committee of the Whole, at which time every question necessary for the disposal of this stage of the bill shall be put forthwith.

The second motion, Mr. Speaker, reads as follows:

Be it resolved that when an adjourned debate on third reading of Bill 42, Electoral Divisions Act, is resumed, not more than one hour shall be allotted to any further consideration at this stage of the bill, at which time every question necessary for the disposal of this stage of the bill shall be put forthwith.

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

**Dr. Pannu:** Thank you, Mr. Speaker. Pursuant to Standing Order 40 later this afternoon I plan to bring before the House a motion to adjourn the ordinary business of the Assembly to deal with the following motion of urgent and pressing necessity.

**The Speaker:** You can read it at the time.

**Dr. Pannu:** All right. I'll do it later.

## head: Introduction of Bills

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

### Bill 41

#### Alberta Corporate Tax Amendment Act, 2003

**Mr. Melchin:** Thank you, Mr. Speaker. I request leave to introduce Bill 41, the Alberta Corporate Tax Amendment Act, 2003.

The amendments in this bill will introduce the third phase of the corporate income tax deductions as announced in Budget 2003. This bill will make Alberta's corporate income tax rates for both small business and general business the second lowest among all provinces in Canada.

Thank you, Mr. Speaker.

[Motion carried; Bill 41 read a first time]

## head: Tabling Returns and Reports

**The Speaker:** The hon. Solicitor General.

**Mrs. Forsyth:** Thank you, Mr. Speaker. I have two tablings today. The first is the Alberta Law Enforcement Review Board 2001 annual report being tabled in accordance with section 14 of the Alberta Police Act. The board is the appeal body for complaints concerning police officers. During the period covered by the report the board dealt with 34 appeals, down slightly from previous years.

Mr. Speaker, my second tabling is the Victims Programs status report for 2001-2002. This annual report shows that over 1 and a half million dollars in grants was provided to 78 victim assistance programs. These programs reported handling over 30,000 new cases, over half of those involving assistance to victims of violent crime.

**The Speaker:** The hon. Minister of Sustainable Resource Development.

**Mr. Cardinal:** Thank you very much, Mr. Speaker. I would like to table five copies of some materials that have been developed by the Alberta Forest Products Association for an information campaign that they have launched. This campaign tells a story about forestry, a very important industry in the diversification and prosperity of Alberta's economy. I will make sure that all MLAs receive a copy of this great information package, which provides some very good news.

Thank you.

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

**Mr. Hancock:** Thank you, Mr. Speaker. I rise today to table five copies of the Law Society of Alberta annual report 2002. The mission of the Law Society of Alberta is to serve the public interest by promoting a high standard of legal services and professional conduct through the governance and regulation of an independent legal profession. As Minister of Justice I meet regularly with the Law Society to discuss issues and obtain their feedback. The relationship between the Law Society and Alberta Justice is not only very strong but most valuable as we work together to improve justice for Albertans.

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

**Mr. Maskell:** Thank you, Mr. Speaker. I'm tabling five copies of a letter received from a constituent of mine, Mrs. Lois Bell, in which she shares with me her concerns regarding education funding.

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

**Mr. Lord:** Thank you, Mr. Speaker. I rise to table the requisite number of copies of six different reports all relating to California's electrical system, which I believe has great relevance to Alberta's electrical situation. The first is a report, Energy Efficiency Leadership in California, outlining an unprecedented energy conservation program which is saving \$12 billion and helped California dodge the bullet of major blackouts.

The second is a report from the World Nuclear Association discussing opportunities in California where almost no generation had been built in 15 years, leaving them to have to import 25 percent of their electricity, which they are still doing at a time when Alberta is discussing exports.

The third is entitled California's Dreaming.

The fourth is Electricity Reliability Issues in California, talking about how policymakers tried to shield consumers from higher power bills by overregulating and gave them rolling blackouts in years of shortages and imports instead.

The last two are Power Politics and Retail Electricity Deregulation: Demonstrating the Benefits of Choice by Nobel laureate economist Vernon Smith, discussing how California never actually attempted deregulation. What they did at best was worse regulation.

Thank you, Mr. Speaker.

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

**Ms Blakeman:** Thank you, Mr. Speaker. I have two sets of tablings today. The first is from a constituent, a young dedicated teacher, writing to me with her concerns that although she's been teaching for two years, she thinks she may be forced out due to the conflicts with the government in the funding of education. Given the announcement today, that's quite likely.

The second set of tablings are two published documents. These are put out by Changing Together, A Centre for Immigrant Women. The first is A Handbook for Employers of Live-In Caregivers in Alberta, written by Caridad Bernardino, PhD, with Denise Spitzer, PhD. The second is A Handbook for Live-In Caregivers in Alberta, prepared by Idalia Ivon Pereira and Denise Spitzer, PhD.

Thank you.

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

**Ms Carlson:** Thank you, Mr. Speaker. I have two tablings today.

The first is from Alvin Reib, a senior in my constituency who is very concerned and upset with how the medical system treats seniors these days.

The second tabling is an addition to the petition I tabled last week. That petition was signed by 358 Albertans urging the Legislative Assembly to stop development in Kananaskis Valley, but about 50 of those names were out of order for the petition, so I am tabling their names today.

2:50

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

**Dr. Pannu:** Thank you very much, Mr. Speaker. I've got two tablings today, the first being a document from the Edmonton public school board titled Response to the Minister of Learning regarding Alberta Learning's Operational Review of Edmonton Public Schools dated May 2003. This document addresses the board's position on the district's deficit and related issues.

The second tabling, Mr. Speaker, is a letter from Alberta Federation of Women United for Families dated April 17, 2003. In the letter to the Minister of Justice and Attorney General the federation has asked the minister to make the necessary changes to legislation so grandparents may maintain ongoing contact with their grandchildren.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

**Dr. Massey:** Thank you, Mr. Speaker. With permission I would like to table the required number of copies of a letter written to the Premier from a school council in the Premier's constituency – Leslie Newton, Barb Homer, Wanda Watson, and Liz Hagerman – urging the Premier to “take leadership and properly invest in public education.”

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

**Mr. Mason:** Thank you, Mr. Speaker. I have five tablings today. The first is a news release from the Calgary Association of Parents and School Councils dated March 19, 2003, questioning the Minister of Learning's decision to close five CBE schools and open another charter school in Calgary.

The second tabling is a letter from Liz Greenaway of Edmonton dated March 18, 2003, regarding the government's policy of making schools dependent on casinos.

The third tabling is a letter from R.H. Foerger of Edmonton dated March 5, 2003, addressed to his MLA, who is the Minister of Community Development, regarding the underfunding of his children's school.

The fourth tabling is a letter from Cindy LeClerc of Hinton dated March 20, 2003, addressed to the Minister of Infrastructure asking him to change the school utilization formula.

The final tabling today is a letter from Brenda Davidson of Edmonton dated March 21, 2003, addressed to the Premier regarding the continuing degradation of education in Alberta.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, I'm pleased again to table five copies of a new brochure that's produced, and I think all members will find it of considerable interest. It's titled: Page Biographies, 25th Legislature, 3rd Session, Spring 2003. It's a fitting tribute to the young pages that work with us. A copy will be forwarded to you momentarily.

### head: **Tablings to the Clerk**

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk by the hon. Mr. Mar, Minister of Health and Wellness, pursuant to the Regional Health Authorities Act, Mistahia health region 2002 annual report; by the hon. Dr. Oberg, Minister of Learning, Research Technology Management Inc. financial statements 2000 to 2003; response to Written Question 9 asked for by Dr. Massey on March 17, 2003; Alberta Learning 2002-2005 business plan; school jurisdictions' audited financial statements, sections 1 to 3, for the year ended August 31, 2001; public postsecondary institutions' audited financial statements, including public colleges and technical institutes for the year ended June 30, 2001, and universities and Banff Centre for Continuing Education for the year ended March 31, 2002; pursuant to the Advanced Education Foundations Act the University of Alberta (1991) Foundation financial statements for the period ended November 7, 2000; the Arctic Institute of North America financial statements, March 31, 2001; the Olympic Oval financial statements, 1999 to 2001; Public Colleges Foundation of Alberta financial statements 1998 and 1999.

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

### **Point of Order Parliamentary Language**

**Mr. Hancock:** Thank you, Mr. Speaker. I haven't often risen on points of order in the House. We're drawing to the end of this session possibly, and the language, in my submission, is deteriorating. The hon. Member for Edmonton-Highlands in his questions, while often giving colourful examples, this afternoon went way too far in the language that he used, and I would request that you find the language unparliamentary and ask for an apology.

Specifically, under 23(h) of our Standing Orders, "makes allegations against another member," and 23(j) "uses abusive or insulting language of a nature likely to create disorder." I would also refer to 485 of *Beauchesne*, "Unparliamentary words may be brought to the attention of the House either by the Speaker or by any Member," and 491:

The Speaker has consistently ruled that language used in the House should be temperate and worthy of the place in which it is spoken. No language is, by virtue of any list, acceptable or unacceptable. A word which is parliamentary in one context may cause disorder in another context, and therefore be unparliamentary.

I would also refer to both your memo to House leaders early in the session as well as the other sections in *Beauchesne*, 488, 489, 490 and 491, relative to unparliamentary language.

The exchange which I'm referring to is an exchange in which the hon. member accused the Minister of Learning during a question directed at the Premier of painting a false picture for this Assembly throughout the spring—now, I may not have the exact words; I don't have the benefit of the Blues—and later on in the next question, of misleading the Assembly.

Often we've heard language in preambles to questions which have been, in my humble submission, unparliamentary but unfortunately or fortunately not directed at any particular member and therefore difficult to draw forward for sanction. We've had preambles which are grotesque in the extreme with respect to how they try to change and adapt what the government's position is in order for them to put forward a question which they can characterize. But I would suggest, Mr. Speaker, that in the framing of this particular question, the hon. member has gone too far. He has in essence accused the Minister of Learning of lying to the House. That is unparliamentary.

The language is going too far, and we ought to draw back and, in the words of rule 491, be cognizant of the fact that language "should be temperate and worthy of the place in which it is spoken."

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

**Mr. Mason:** Thank you very much, Mr. Speaker. While I listened with interest to the hon. Government House Leader's point of order, I would submit that in fact the language contained in my question today was not in contravention of the rules. Indeed, it was quite consistent with normal parliamentary practice. He indicated, for example, that one of the statements which I was purported to have made, that the House had been misled, is contained in expressions ruled unparliamentary by Speakers of the Legislative Assembly, according to a document provided to all members by yourself.

With respect to the implication contained in the question, that the minister had "painted a false picture for this Assembly," I would maintain that that is in fact a correct statement, Mr. Speaker. On a number of occasions, the government and particularly the Minister of Learning has denied, in response to questions put to him in this House, that there was in fact any crisis in our education system. It is my view that layoffs across the province, increases in class sizes, cuts to programs are all matters of fact which can be verified by anyone who wishes to contact any number of school boards in this province. It is this member's opinion that these facts taken in conjunction do in fact represent a crisis. So it is the opinion of this member that the minister, in denying that there was a crisis, has in fact painted a false picture for the Assembly. The real picture, in my opinion, is quite different than that suggested during question period during this spring sitting of the Assembly by the Minister of Learning to the Assembly.

So I would argue, Mr. Speaker, that there is in fact no valid point of order. Thank you.

3:00

**The Speaker:** Other participants?

Hon. members, one can suggest and it's made very, very clear that the operative words with respect to this are the phrase, "will the Premier explain why he just sat there while his minister painted a false picture for this Assembly?" That's what was said.

The words "false," "falsehood," "false statements" are words that have in some instances been found to be unparliamentary but not on all occasions, and hon. members can refer to *Beauchesne* 489 and *Beauchesne* 490. The key citation, however, with respect to this particular matter is *Beauchesne* 491 for the point that a word may be unparliamentary in one context if it causes disorder but not necessarily another context, which, again, doesn't help clarify, but the context is extremely important.

One should also be governed by citations from Standing Orders 23(h), (i), and (j). Now, in this case, painting "a false picture for this Assembly" would suggest to the chair some intent or deliberateness and would seem to be akin to an assertion of deliberately misleading the House.

The hon. Member for Edmonton-Highlands indicated that the debatable point with respect to crisis was in his opinion, and he used the terminology "in his opinion" on several occasions, which would not suggest a suggestion of factualness necessarily: an opinion. So this would seem to me that this would be unparliamentary, and in fact I'm going to rule that it is unparliamentary. I'm going to rule that it does not uphold the dignity of the House nor the member himself. I'm going to ask the hon. member to withdraw those statements.

**Mr. Mason:** Mr. Speaker, I'm pleased to withdraw those statements. I appreciate your ruling, and I would also wish to apologize to the Minister of Learning and all members of the House for my transgression.

Thank you.

head: **Motions under Standing Order 40**

**The Speaker:** The hon. Member for Edmonton-Strathcona on a Standing Order 40 application.

#### **Education Funding**

Dr. Pannu:

Be it resolved that the Legislative Assembly urge the government to adjust school board operating grants to fully fund the arbitrated teachers' settlement, cover rising school utility costs, and remove the cap on grade 10 credits.

**Dr. Pannu:** Thank you, Mr. Speaker. Now, with your permission I would like to make a brief set of arguments for urgency. Speaking to the urgency of this motion, in two days' time the spring sitting of the Legislature is likely to come to an end. As we return to our ridings, what we would be leaving behind is an education system in crisis. This is a school financial crisis unprecedented in its scope and severity. The dire financial position of school boards stands in stark contrast to the province's fiscal picture and outlook, which couldn't be rosier.

Last week the Calgary board of education announced it was cutting 400 staff in total, including the loss of 300 teachers. Today Edmonton public schools announced the loss of 450 teaching positions alone. Calgary Catholic has announced it's facing a \$9.5 million shortfall. Nor is this fiscal crisis, Mr. Speaker, restricted to Alberta's two big cities. It's much more generalized and affects lots of school boards and regions of our beautiful province. School board after school board is giving the same three reasons for acute financial crisis that they are already facing; namely, government's failure to fully fund the arbitrated settlement with teachers, two, its refusal to assist school boards with skyrocketing utility costs, and, three, the government's decision to impose a cap on the number of credits it will fund for hardworking grade 10 students.

As legislators we have the responsibility to deal with this acute school funding crisis now, not leave it to the whims of the executive branch to act or fail to act based on its own political needs. As the stewards of public dollars what could be more important than debating the crisis in our schools in this Assembly this afternoon? Speaking to urgency, Mr. Speaker, we need to debate this motion this afternoon because there's no other option available to us for expressing the will of this Assembly on this matter. As an opposition member I'm not able to amend the appropriation bill to adjust operating grants to schools. The emergency motion I'm proposing provides the opportunity for us as members to express our collective voice in urging the government to fix the financial crisis in our schools that government itself caused.

I therefore urge all members to support the request to debate this emergency motion this afternoon. Thank you.

[Unanimous consent denied]

head: **Orders of the Day**

head: **Private Bills**  
head: **Third Reading**

[The members indicated below moved that the following bills be read a third time, and the motions were carried]

Pr. 1 Sisters of St. Joseph of the Province  
of Alberta Statutes Repeal Act  
Pr. 2 Forest Lawn Bible College Act

Griffiths  
Pham

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

#### **Bill 39**

#### **Miscellaneous Statutes Amendment Act, 2003**

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

**Mr. Hancock:** Thank you, Mr. Speaker. I move Bill 39, Miscellaneous Statutes Amendment Act, 2003, for second reading.

As indicated earlier, prior to introducing Bill 39 to the House, we followed the process that is always followed with respect to miscellaneous statutes and circulated the proposals to both opposition parties, about a month ago sent the final draft version – I think it was April the 28th – to opposition parties with respect to the final version of the bill, and had approval to introduce it in the form that it's in. I would ask the House to approve it for second reading. I would advise the House that there is now a suggestion that there may be an amendment at committee, which in my view is most unfortunate and certainly should have been avoidable given the process that we go through. However, we'll await committee to see how we deal with it at that point in time. I'd ask the House to approve it for second reading now.

[Motion carried; Bill 39 read a second time]

#### **Bill 40**

#### **Appropriation Act, 2003**

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

**Mr. Hancock:** Thank you, Mr. Speaker. On behalf of the hon. Minister of Finance I'd move Bill 40, the Appropriation Act, 2003, for second reading.

The Appropriation Act is merely, as the House knows, an encapsulation of what we've been discussing in this House for the last 24 days of Committee of Supply, and we have completed Committee of Supply with respect to each of the departments and had the votes on the estimates in Committee of Supply for each of the departments. I would ask the House to approve now the Appropriation Act so that we can get on with paying the bills.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm pleased to rise to speak to the Appropriation Act, 2003. Now, we've had a great deal of debate with respect to the appropriations and an opportunity to question the ministers on the budget, which is now contained within this act. So it's clear that the Assembly is being asked to provide its endorsement of the government's spending plans and requests for funding from the taxpayer in order to support their program.

3:10

Unfortunately, Mr. Speaker, there are a number of serious deficiencies with respect to the government's plans for the coming budget year. The foremost among them is the failure of the government to deal with the education crisis that is now upon us. You know, it's interesting listening to the twists and turns of the government on this issue when they're questioned on it in question period, and certainly they have a great deal of flexibility in whether or not

they answer questions or whether or not they simply just go on the attack against opposition members based on their occupation or facility with arithmetic or whatever it is that the government may seem to think is relevant.

What I think the people who pay the taxes think is relevant is why the government is in a position where it repeatedly claims that it provides more funding for education per capita than any other province and why it is that we're faced with significant layoffs, school closures, program cuts, and a lot of unhappy parents and teachers and students. The government seems to think that everybody is wrong except them. The government always measures any increase in funding from the point of the lowest level of funding, which was following the cuts in 1993-94, so they measure any funding increases from that point. Of course, it's generally acknowledged now, Mr. Speaker, that the government cut far too deeply and far too quickly and with far too little foresight at that time. In fact, the Premier a couple of years after admitted that the government did not have a plan when it came to the health care cuts.

But in the area of the education situation there are three significant contributing factors to what has happened. First of all, of course, was the teachers' settlement, Mr. Speaker. Now, the Minister of Learning repeated over and over again before the teachers' strike that they were being extremely generous and they were allocating 4 percent and 2 percent, which he habitually called 6 percent, and that the teachers would have to be satisfied with that.

Then the strike occurred, and the government set in place an arbitration process that clearly was different from most arbitration processes in that it was stacked against the teacher. There was an additional person on the arbitration panel that represented employer interests. Nevertheless, this arbitration process gave the teachers considerably more than the minister had allocated in the previous budget. In fact, the teachers' settlement was similar to settlements that had been reached voluntarily with the government before the last election; for example, with medical professionals, including nurses.

Then the government refused requests to provide the additional funding to meet the settlement, and that left the school boards in the situation they're in now. They have to find the money to pay the teachers' increase from existing programs. That means that even though the government is correct technically in saying, "Well, we gave, you know, 4 percent more," what happened is that the costs of the school boards rose much more than 4 percent because most of their bill goes to salaries. So that's one very significant piece that the government doesn't like to talk about when the opposition questions them in question period. They just go back into their message box and keep repeating the same old stuff.

A second piece is, of course, high utility costs. Like all public institutions and like all medium and small businesses and all homeowners and farmers in this province, school boards are faced with massive increases in their electricity bills, another sterling example of this government's enlightened and competent administration of public affairs, Mr. Speaker.

**Dr. Taft:** You might want to point out that that was sarcasm.

**Mr. Mason:** The hon. Member for Edmonton-Riverview wants me to point out that I had my tongue in my cheek when I was talking about the competent and enlightened administration of our province's affairs, and that's in fact the case, Mr. Speaker.

Then there's the question of the natural gas prices which the school boards have to meet, and again there's no corresponding increase in their budget from the government in these estimates to cover that. Of course, the third factor that's common to most school

boards across the province, Mr. Speaker, is the cut to credits for grade 10 students.

So those are the three elements that make up the current financial crisis facing education in this province today. The government's estimates don't deal with them, Mr. Speaker. They simply don't deal with the financial reality that school boards face. The irony of the thing is that all three of these things are of the government's own making. The arbitration process to settle the teachers' strike was the government's process. The high utility bills are the direct result of deregulation of electricity, and of course the cap on credits for grade 10 students is a policy of the Minister of Learning. The government has set three things as obstacles to the school boards' path to financial solvency and then has refused to fund it, and they have the nerve and the Premier had the nerve today to say: "You know, we don't know what's going on. We keep giving them more money. You know, the school boards just can't manage." He had really no answers, but it didn't stop the Premier from really insulting the intelligence of the Assembly and of the people of Alberta. I believe that the people of Alberta know exactly why we have this crisis in our education system now, and they know exactly who's responsible.

I think it would be a wonderful thing if the government would stand up and say: "You know, listen; we've kind of messed up with the teachers' settlement. We've kind of messed up with electricity deregulation. We've kind of messed up with the cap on grade 10 credits, and, you know, we've kind of messed up because we haven't covered these things in this budget. So let's take the budget back, and let's meet again after the long weekend. We'll bring back a budget that actually deals with these things so that we don't have to lay off teachers, so that we don't have to cut programs for students," including even at the postsecondary level where they're cutting the program at Grant MacEwan on sign language. That's one of the very few programs in the entire country, and it's a leading program. So those are the kinds of things that are getting cut.

Young graduating teachers are leaving the country, leaving the province to teach elsewhere because school boards can't hire them, people are losing their jobs, and children's education is suffering, and the government keeps giving money to horse racing, Mr. Speaker. Not only that, but we heard the Minister of Revenue stand in the Assembly just this afternoon and introduce a bill that brings in another tax cut for corporations. [interjections] Yeah, and the Minister of Economic Development applauds that move, and that's no surprise to me, because he thinks that we should be investing in companies and not in people, or at least that's my view of his position.

3:20

So, Mr. Speaker, the government's priorities are clearly wrong, and this bill reflects those distorted priorities, where you put the thoroughbred ahead of the grade 3 student, where you put Shell or ATCO ahead of teachers or the health care system. Particularly on the education side I think there's a real problem with this bill before us. I think that the Assembly should vote it down, and I'd urge all members to vote against the Appropriation Act, 2003.

You know, I think there are a number of areas where we could do more except that when the Minister of Revenue has finished with his next act of cutting taxes for corporations, the government's revenue situation is going to be even more dependent on oil and gas revenues than it already is. I think that that's a real problem. It's also going to be another situation where the government is more dependent on gaming revenues, and we now have lottery fund payments of nearly \$1.1 billion, Mr. Speaker, that come straight out of the pockets of people who in many cases just can't afford it. So it's another way of avoiding taxing people who can afford it, and that's another long-established principle of this government.

I want to indicate that we have seen an increase in infrastructure investment in this province, and I do want to indicate overall my support for that direction. Infrastructure has incurred a significant deficit over the years, Mr. Speaker. It's interesting that the government has placed so much focus on the financial deficit, but at the same time any Auditor General could tell you that they've been building up a significant deficit within the capital infrastructure of the province, because if it's not replaced in a timely fashion, then we have a situation where you have to replace it later. You have to spend the money. In fact, you have to in many cases spend even more money. It's a little bit like putting off your oil changes because you can't afford the cost or you don't think you can afford the cost of the oil. When you eventually get around to changing your oil, you may find that there's wear and tear on the engine, and the costs are very much greater than had you just paid for the oil at the right time. That's the kind of planning on the infrastructure side that this government has been doing for a number of years, and now they're trying to correct the situation by throwing a lot of money at it. I think that had they funded it adequately on an ongoing basis, they probably would have had less draw on the taxpayer than we have here. So it's another example of how the government is not running the province well.

I want to come to the question of resource revenues. Here is what saves the government time and time again, Mr. Speaker. I think we all know that they can mess up in a worse way than governments in other provinces and avoid being punished at the ballot box because they have enough money to fix the problem just in time. I think that was the case certainly before the last election with electricity prices, where there was \$2.2 billion in various rebate programs that were thrown at that particular mess of the government's own creation. We have seen a continuing pattern of underestimating the amount of resource revenue that comes their way so that they post on a regular basis massive surpluses.

It provides a number of political advantages for the government to do it that way. For example, the government in the last 10 years has underestimated total revenues by a cumulative total of over \$23 billion. It boggles the mind, Mr. Speaker. During that time, the government has underestimated its own budget surplus by a cumulative total of over \$20 billion. The government is thereby able to keep pleading poverty right into June every year until it's too late to do anything with unbudgeted surpluses other than apply it to the provincial debt. Now, the rules around that have been loosened just this last year, but the government has been able to use this strategy in order to defer and deflect demands for education funding, for example, or many other important things while they are amassing massive surpluses. Then they can put that towards the debt, and, you know, surprise, surprise, they have a lot more money than they have said all along, and I think Albertans are beginning to see through that.

In fact, we're wondering whether or not history is going to repeat itself next month when the minister reports that the 2002-2003 budget surplus may be \$1 billion to \$2 billion higher than previously forecast in the third-quarter update, and we think that that's very likely given the prices of natural gas, which have remained stubbornly high notwithstanding the fact that winter is over, and that, of course, is one of the main drivers of government surplus revenues.

We know that the government claims that the cupboard is bare when it comes to teachers, that there is no more money for schools. All the while, average oil prices in fiscal 2002-03 were slightly higher than two years earlier, but the government is still forecasting \$700 million less in crude oil royalties than it actually brought in in 2000-2001. So where is the consistency, the science in this, Mr. Speaker? I don't understand how the government does this forecast-

ing. It doesn't seem to have much to do with actual oil and gas prices. It seems to have more to do with how the government wants the balance sheet to come out and how the surplus has been tucked away out of sight. Given that the government is reaping a multibillion-dollar windfall from natural gas prices that remain more than 50 percent higher than forecast in last month's budget, I'd like to know whether or not the government was going to hoard this windfall or if they're prepared to invest a small portion of the windfall in the province's children.

I am assuming that that bell meant my time is up, and I would like to thank all members for their patience and urge them to vote against this Appropriation Act. Thank you.

3:30

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

**Dr. Taft:** Thanks, Mr. Speaker. I have a number of comments on this particular bill. I was listening to the comments from the Member for Edmonton-Highlands with some interest and generally found them to be pretty sound as an analysis of the situation we're facing here today. I have a number of points of my own to add to that. Fundamentally, I find that the entire process through which this government forms a budget is seriously flawed. The budget was introduced eight days into the fiscal year. It will be approved – what? – seven weeks or six weeks into the fiscal year. There's no reason in the world that I can see that we couldn't rotate the entire process back through the calendar year so that we were actually approving a budget in advance. After all, a budget is a plan, and there's not a lot of value in planning for events after those events have unfolded, and that's what we're doing right now, today. In fact, the process gets worse, because once the budgets are approved for the various government departments, then that ripples on through the time line so that the regional health authority business plans and budgets are approved even later in the year, as are the business plans and budgets for the persons with developmental disability boards, for the children's authorities, and in fact, as we're seeing played out today, even for the school boards.

We certainly had situations last year where regional health authorities went through more than half the year without their business plans and budgets approved. Just unacceptable delay in proper management, a real violation of any fundamental business or public finance organization. On its very fundamental process, I'm struggling with this document today, and I would strongly encourage the government to rearrange the entire process that we are approving budgets before the beginning of the fiscal year. That is possible; it's simply a matter of political will.

There are a number of specific areas that I need to touch on. Most dramatically, most timely for this very date is the education budget. The events that we've seen today in which 450 teachers appear to be losing their jobs in the Edmonton public school board and hundreds of other teachers and other school board staff across the province are losing their jobs makes it clear to me that there is a fundamental problem in the education budget. The facts are pretty clear. The government mandated a settlement process which resulted in a 14 percent increase in salaries for teachers to be provided over two years. Having found that to be mandatory, instead of ponying up and providing adequate funding for that, the government has failed in its responsibility and instead has forced the school boards to lay off literally hundreds of teachers. That is to me the single most urgent and immediate crisis we see in this particular budget, and it is a shame. It's a tragedy, in fact, that that's not going to be addressed here.

[Mr. Lord in the chair]

Gaming revenues are equally a problem for this budget or a concern for me. We are seeing in this budget a 14 percent increase in gross gaming revenues in this province. At that rate the total gaming take in Alberta will double in less than five years. We are already in a situation where the gross amount gambled legally within this province is more than double the total amount spent by this government on health care. Imagine that. Albertans gamble more than twice as much, legally within the boundaries of this province, as they spend on health care. Five years from now, at the rate it's increasing recently, that amount spent on gambling will double. It's a very, very serious concern. I think all members of this Assembly and all citizens of Alberta should be asking themselves: do we want a gambling-based economy? This government is pulling in substantially more now from gambling revenues than it does from conventional oil and heavy oil combined. That is to me a frightening indication of how the economy of this province is being rearranged. Do we want to go there? I know that I for one don't, and many people in my constituency don't either.

Health premiums. Another aspect of this budget that I'm deeply opposed to is the health premiums. In principle, health premiums in my view should be abolished. The party of this government, the PC Party, has in fact passed resolutions calling for their abolition. Many backbenchers are calling for their abolition. Let's call a spade a spade: a health care premium is a tax, and it is a regressive tax. When you combine the flat tax regime with the health care premiums, the most heavily taxed people in this province are the working poor. They're paying taxes at a higher percentage than millionaires. Surely that is unfair. It is absolutely true. [interjections] I'm getting heckled by members of this government. But the people paying the highest percentage of their income in taxes to this government are the working poor. That would be an abomination in any other province – it's certainly not true in any state in the USA – and it should not be accepted in Alberta. Health premiums should be abolished.

The oil sands royalty regime is another area of concern. Over the last couple of years the so-called generic oil sands royalty regime has come in. The provincial government's revenues from oil sands have dropped significantly. Now, the logic of this maybe is defensible on paper. The logic is that providing low-cost royalty rates during the capital construction phase and early operational phases of these plants and allowing the companies to recover those costs before royalties rise to 25 percent of net level will encourage the construction of all kinds of heavy oil plants.

The problem is becoming clear. In reality, the problem is that it is such a generous regime that it has stimulated a flood of investments into the heavy oil sands of Alberta. The effect of that is not good. The effect of that has in fact been self-defeating. Costs have soared. Labour shortages have soared. Inflation has soared. Bottlenecks have soared. Infrastructure is overtaxed. The hospital system in Fort McMurray, for example, is completely inadequate. The highways to Fort McMurray are inadequate. Rather than a carefully thought through, phased-in regime that maximizes the direct public benefit of the oil sands development, we created a kind of gold rush at public expense, which in fact is becoming self-defeating. We are seeing now because of the problems created by this gold rush serious delays in capital investment in Alberta's heavy oil sands. So there are serious, serious issues to be raised around the oil sands royalty regime.

We tally these kinds of things up, and I find we're looking at a government that does not in fact have anything like the management record it claims to have. I suspect that they're going to see unfold the same problems in education and teaching that we saw unfold in nursing and health care professionals over the last several years.

Five, six, seven years ago thousands of health care professionals were laid off. Within three years Alberta was facing a drastic shortage of health care professionals and had to provide a 22 percent increase in salaries to health care professionals to keep them from fleeing the province and to try desperately to attract new people back into this province. As a result, the contribution to health care expenditures soared.

3:40

We are now seeing the same thing occur in education. We're losing hundreds and hundreds of teachers. The average age of the teaching profession is going to rise. Two or three or four years from now we're going to see a shortage of teachers, and teachers will be able to demand even more generous wage settlements, driving up the tax bill. So we're going through all of this kind of instability for no gain whatsoever. It's all pain, no gain. Poor, short-term, self-destructive management.

[The Speaker in the chair]

So, Mr. Speaker, I find that there are a host of reasons to challenge this particular bill, a host of reasons to oppose it, and a host of reasons to wish that this government would get its financial management act together. There is one thing only that saves this government from gross embarrassment, and that is the generosity of our natural resources. If it wasn't for the revenues generated by those, this government would have collapsed years and years ago.

Thank you, Mr. Speaker.

[Motion carried; Bill 40 read a second time]

#### **Bill 42 Electoral Divisions Act**

[Debate adjourned May 12: Mr. Hancock]

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

**Mr. Hancock:** Thank you, Mr. Speaker. I made a few remarks last evening when I introduced Bill 42 for second reading, and I just want to add a couple more thoughts before the floor is open for other members.

In bringing forward Bill 42 in the form that was proposed by the Electoral Boundaries Commission, I indicated that during the committee stage of the debate I would be bringing forward some amendments relative to matters which have been proposed by communities or by members of the Assembly to me as being within the context and philosophy of the report. Unfortunately, there are some communities that have put forward proposals, and there are some areas in the report that cannot be fixed by amendment in this House.

I just want to speak briefly about, for example, the situation with respect to Edmonton. The boundaries commission in doing its numbers and putting its maps together indicated that Edmonton would lose a seat, and that became a very substantial issue for all of us in Edmonton, for all members representing Edmonton, and for the community of Edmonton because in some way that was seen as a loss of pride, a loss of position, and a loss of place. But, Mr. Speaker, we felt – and I think this House concurred by passing the resolution – that it would not have been appropriate to send the commission report back, to ask a new commission to draft a new report, because the numbers and the circumstances were not sufficient to suggest that any new report would come back in a different fashion than the first commissioned report came. One



ought not to turn back a report prepared by an independent commission when in fact they have taken into account the factors which are set out for them in the act. They have followed the guidelines, and there was no egregious error to be pointed out.

That doesn't mean that we have not stood up for the city of Edmonton in terms of trying to point out why the seats should be there. But the reality is that when you go through the numbers, the city of Calgary has grown more in absolute numbers than the city of Edmonton. Other parts of the province have grown as well. While one doesn't have to agree with the Electoral Boundaries Commission report, one can't fault them for the logic that they employed, and therefore it would not have been appropriate to send it back.

The resolution having been passed by the House, the bill is now before us, and we do have the opportunity for minor amendments in committee. I might be anticipating and I expect that we'll hear from the opposition that members from Edmonton haven't stood up for their city and that we haven't fought appropriately and that we're turning our backs on the city of Edmonton, and nothing could be further from the truth. In fact, members of this Legislature from the city of Edmonton went to the boundaries commission. Our constituency associations made representations to the boundaries commission. In fact, when the interim report came out and the mayor of this city was exhorting citizens to call their MLAs, I spoke to the mayor and said: if you're going to engage in a campaign relative to this, now is the time to do it, prior to the final report being completed and the final hearings, and to encourage Edmontonians to go to the second round of hearings and to give the commission their views on the report. Unfortunately, they chose to hold off that process until the final report came in at a time when there was very little that could be accomplished from that stage.

Even the submission that was made by the city of Edmonton to the boundaries commission was based more on the concept of a loss of face and a loss of place for the city than on actual numbers. In fact, in looking at it, there were not actual numbers given to the commission to show that the growth of the city somehow outpaced growth in other areas and substantiated an argument for keeping the seat.

So I just wanted to add those comments to the record prior to this bill being passed for second reading because I feel that it's always a very emotional subject when you're talking about representation; it's always a very difficult subject. Each of us in this House know our communities exceedingly well and, when asked, would know exactly where to draw boundaries for at least our particular area. I'm not talking about in self-interest here; I'm talking about in the interests of our communities. Each and every one of us, whether on the government side or the opposition side or the third party, interrelate with our communities, know our communities well, know how they interrelate with each other and could in fact be the best authors of boundaries relative to our communities with no self-interest involved.

When it comes to putting all of those communities together into the larger map, whether it be of the city or the province, that becomes a much more difficult task, and I can tell you that over the last two months I've had that task of trying to deal with issues and anomalies out of the report, and it's not an easy task to be able to try and put those together. So having the experience in the last two months in dealing with, as I say, some of the anomalies in the report, I have a much greater appreciation now for the job which the commission had to go through in holding the two sets of hearings, hearing the many diverse views that were brought to them, and trying to draw maps that make sense.

Mr. Speaker, I'd ask that the House approve this act for second reading.

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

**Ms Carlson:** Thank you, Mr. Speaker. The Government House Leader works pretty hard to inoculate himself against any political damage that may fall out of being the ringleader of pushing this bill through the Legislature. To say that rejecting the original report or rejecting this bill and then having a new commission assigned would not actually bring forward a different result is to prejudice people whom we would all expect to be very competent at doing their job and taking a look at the boundaries given the discussion we've had on the motion that passed against our wishes in this Legislature and a new bill that we would see being brought forward. We are very concerned with this bill. We do not like it. We do not like one bit of it.

With that in mind, Mr. Speaker, I will now put forward an amendment.

**The Speaker:** Please proceed.

**Ms Carlson:** Thank you, Mr. Speaker. The amendment is that second reading of Bill 42, Electoral Divisions Act, be amended by deleting all the words after the word "that" and substituting the following: "Bill 42, Electoral Divisions Act, be not now read a second time but that it be read a second time this day six months hence."

Mr. Speaker, we think that six months will give this government the opportunity to see that this bill is completely flawed and that it did not meet the original mandate, the directions given to it, or the wishes of the people of the province. The three major flaws with the bill are that first of all common community interests and existing community boundaries were not met in the recommendation brought forward by the commission and not met in this bill, that the matrix used to make all the decisions was flawed, and, most importantly, all of the concerns that were read into the record regarding gerrymandering.

3:50

We have to remember in politics that the perception of what is happening can be as important as the reality, and this was addressed by the Government House Leader in his original comments on this particular bill on April 8 in *Hansard* where he stated:

In fact, we separate ourselves logically and realistically from redrawing boundaries and give it to a commission because in the history of parliamentary democracy there have been accusations of gerrymandering when governments or Legislatures or individual members of Legislatures attempted to draw their own boundary lines for themselves.

What do we see falling out of this particular bill when it comes into the Legislature but the Government House Leader actively involved in the very thing that he said he wouldn't do and that he sent out a commission to do. He has actively involved himself in the process. In fact, for the past several weeks we have seen him running around in common sight, huddled over boundary maps with various members of this Legislature deciding exactly where they want these new boundaries to be.

Now, even before this happened, we saw government members themselves – in fact, it was the Minister of International and Intergovernmental Relations, who said on April 8 as well: now, Mr. Speaker . . .

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

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

### Point of Order Imputing Motives

**Mr. Hancock:** Thank you. Under section 23 the member has just made an allegation against a member, which is (h), and (i), imputed false motives. The hon. member well knows that I have not been going around gerrymandering boundaries, that I've talked with all members of the House or their representatives through the House leaders putting forward a process by which amendments to this bill can be handled in a decent manner, respectful of the process and not one of gerrymandering or doing the things that she's suggesting. She's imputing false motives to me, and it's absolutely scandalous. [interjections]

**The Speaker:** Okay, everybody. Settle down. This is a point of order. I will recognize first the hon. Member for Edmonton-Ellerslie and then the hon. Member for Edmonton-Highlands on the point of order.

**Ms Carlson:** Yes, Mr. Speaker. If the Government House Leader listened closely to my remarks, I said that the perception of what is happening can be as important as the reality, and in fact if it looks like a duck . . . We have seen him repeatedly in this Legislature over the past week with the map spread out over his desk. In fact, in committee the other night the chairman couldn't see him; we couldn't see the person speaking. There have been huddles of little meetings in this Legislature for a very long time. If the perception of changing boundaries – this Government House Leader himself stated in this House that politicians shouldn't get involved in that process, and that is exactly what has been happening here. That perception is as important as the reality. There is no point of order.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I think that on this point I'm going to take the side of the Government House Leader because I believe that he has been carrying out adjustments according to a set of principles that are quite principled, and I believe that he has done that fairly and equitably to all parties in the House. I've seen no attempt on his part to advantage his party at the expense at least of ours. I don't know of his work with the Liberal opposition, whether or not he's huddled with them over their boundaries or not, but I certainly have seen no indication that the minister is engaged in gerrymandering.

**The Speaker:** I want to remind all members that we're currently in second reading of Bill 42, Electoral Divisions Act. I have the bill in front of me. The bill is simply a technical bill with respect to the geographic location of boundaries. That's the bill.

Secondly, we currently have before us an amendment which is a hoist amendment, and there's a certain procedure with respect to a hoist amendment. The amendment says, “. . . be not now read a second time but that it be read a second time this day six months hence.” So I'm going to confine the debate to the amendment. I'm going to confine it because this Assembly has already had an opportunity to discuss the motion that came out of an independently adjudicated board that has basically presented to the Assembly a report. As a result of the motion that this Assembly approved, it is the responsibility of one member of Executive Council to bring forward exactly what was approved and recommended in the report, and one is assuming that's what it is.

Now, in recent days the chair received copies of a memo that was sent from the Government House Leader to, I believe, the opposition

House leader and the third party House leader – I'm paraphrasing now because I don't have the letter in front of me – basically saying: if there's an opportunity that you wish to avail yourself of making or dealing with amendments, please convey some thought process to me. Any member at any given time can stand up and propose amendments with respect to the bill itself. That would normally come under committee. So I think that one has to be very, very tempered with the language. I intend on staying here as much as possible.

I do not, hon. Member for Edmonton-Ellerslie, subscribe, I have never subscribed as an individual – I have no idea where anyone can logically use the argument that perception is as important as reality. That may be the case in some nomenclatures, but we deal here with absolutes, and reality is more important than anybody's perception.

Secondly, I have no idea who has what on their desks right now. I have no idea if somebody is hiding behind a computer on their desk or hiding behind a piece of paper, but one thing I will never do is read other people's mail. I subscribe again to the time-honoured tradition that gentlemen and gentlewomen do not read other people's mail. So I have no idea what's going on.

So one had better be very, very cautious about ascribing motives to anybody else, and language had better be tempered with respect in this. It's very clear what we're doing there. It's a very specific bill, and there's a very specific process. It may be the 44th day of this session and we may already have been here longer this year than we were all of last year and it may be springtime and everything else, but there is a process. It's a legitimate process, and courtesy and temperance in language is extremely important.

What we have before the Assembly now is debate on an amendment – that's very clear – introduced by the hon. Member for Edmonton-Ellerslie. It says, “Bill 42, Electoral Divisions Act, be not now read a second time but that it be read a second time this day six months hence.” Let's hear the argument for reading it a second time this day six months hence. That's the debate subject.

### Debate Continued

**Ms Carlson:** Thank you, Mr. Speaker. It's important that this bill be put aside for six months so that there can be further consultation from the communities, so that a new commission can be struck and they can take the debate that has been discussed in this Legislature and build it into a new framework for bringing forward boundaries that will more fairly and accurately represent those required in this province.

Thank you.

**Mr. Mason:** Mr. Speaker, if I may request a point of clarification on the rules, my understanding of a hoist motion is that when the hoist motion is put to a vote, then the vote on the main motion follows immediately thereafter. Is that correct?

**The Speaker:** Well, hon. member, for clarification, only if the hoist amendment is defeated.

**Mr. Mason:** Like I said, Mr. Speaker. All right. I will try and insert myself into the debate in accordance with your ruling.

I would like to support this motion because I believe that there are serious flaws with this bill, and six months would give time for members on the government side to reconsider what is happening, to take some responsibility for what is happening, and put in place perhaps some changes to Bill 42 that would deal more equitably with the situation, particularly as it pertains to the city of Edmonton.

The Government House Leader has indicated that he believes – I

take it that he believes – that the city of Edmonton has been fairly treated and that his government caucus from the city of Edmonton has done due diligence in protecting Edmonton. Now, it's not just a loss of face that is at stake, Mr. Speaker, but it is a loss of influence. It is a loss of political capacity, and as such it's very significant. We take it very seriously. Hopefully, if this were to be passed, we would in fact be able to reconsider that, and perhaps government members could realize the importance of the seat for Edmonton.

4:00

I just want to review briefly a little bit of the chronology here. When the commission was first appointed, interestingly enough the third party was supposed to have been consulted by the Official Opposition with respect to the opposition appointees. The government side appoints two, the opposition on the advice of the Leader of the Official Opposition but on behalf of all of the opposition recommends the other two to yourself, and of course, Mr. Speaker, you appoint the chair. That was not done, and as a result the appointments by the Speaker of the two opposition members were withdrawn. There then occurred the process that should have occurred in the first place, and that is consultation with our party in this matter. Nevertheless, after the consultation did occur, the same appointments were made.

So it should be borne in mind that throughout this discussion by the commission two of the five members were appointed by the Official Opposition. One of those I think did an excellent job standing up for Edmonton, and she did submit a dissenting report, but the other person appointed by the Official Opposition of course supported the recommendation to take a seat away from Edmonton.

We need to have some balance in our analysis of what happened, Mr. Speaker, and the facts are that at the very first meeting of hearings that the commission held in Edmonton, I appeared on behalf of our party and argued quite strongly that if the commission followed its particular matrix that it had set out, it would lead to the loss of one and possibly two seats from the city of Edmonton and put forward very strong arguments at that time against Edmonton losing its seat. Neither representative of the other two parties in this Assembly appeared and made that evening forceful arguments around the issue.

Subsequently, of course, Official Opposition caught fire on the issue and I think have done a good job speaking out for Edmonton. I wish I could say the same for the Edmonton caucus of the Conservative Party, who've been divided on the question, some saying that, yes, it's a problem and others saying: well, you know, it's just a fact of life. So I think, Mr. Speaker, that on balance one would have to say that the New Democrat opposition has been the most consistent defender of the city of Edmonton on this entire matter. I think that it is a matter of some significance, and I believe that as a result of that, we should take the six months and take another look at this.

I do believe that it is quite possible, if there's the political will on the part of the government, to revisit this issue and find a way that Edmonton does not have to lose a seat. The leader of the New Democrat opposition, the Member for Edmonton-Strathcona, did in fact put forward a motion at the time that we debated, the resolution that would have seen the seat retained for Edmonton without an increase in the size of this Assembly. That's been our position all along. We don't need a bigger Assembly – it's perhaps too large as it is – but we certainly do need to have adequate representation for Edmonton. That's what we fought for, Mr. Speaker. That's what we're going to continue to fight for, and we think that we have perhaps the most consistent record in that respect of any of the parties in this Assembly.

Thank you, Mr. Speaker.

**The Speaker:** On the amendment, the hon. Member for Calgary-Egmont.

**Mr. Herard:** Thank you, Mr. Speaker. I rise to speak against the amendment because at the very least I think that what the hon. Member for Edmonton-Ellerslie has done is proposing a little mischief. At the very worst I think it's almost deceiving the House.

**The Speaker:** Hon. member, please, with all due respect, I just finished cautioning the hon. Member for Edmonton-Ellerslie for using intemperate language. The same message now applies to the hon. Member for Calgary-Egmont.

**Mr. Herard:** Thank you, Mr. Speaker. I'll try and make my point. The motion to hoist this particular bill I find is at the very least mischievous because there's no process that exists in this House, in this Legislature, to read it again six months hence. The hon. member knows that even if this motion passed, there was no way of bringing it back six months from now. So I guess, then, I would read what this particular motion says, and if it's not possible to do it, then is it not deceiving the House to make a motion like this and ask for us to pass it when we know that it's not possible to bring it back? For that reason, I'm not going to support the amendment.

**The Speaker:** Others on the amendment?

[The voice vote indicated that the amendment lost]

[Several members rose calling for a division. The division bell was rung at 4:08 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Bonner	Mason	Nicol
Carlson	Massey	Taft

4:20

Against the motion:

Ady	Hancock	Masyk
Cao	Herard	Nelson
Cardinal	Hutton	Norris
Coutts	Jacobs	O'Neill
Evans	Jonson	Pham
Friedel	Klapstein	Renner
Fritz	Kryczka	Snelgrove
Gordon	Lord	Tannas
Graham	Lukaszuk	VanderBurg
Graydon	Mar	Vandermeer
Griffiths	Marz	Zwozdesky
Haley	Maskell	

Totals:	For – 6	Against – 35
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[Motion on amendment to second reading of Bill 42 lost]

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

[Several members rose calling for a division. The division bell was rung at 4:21 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Ady	Herard	Nelson
Cao	Hutton	O'Neill
Cardinal	Jacobs	Pham
Ducharme	Jonson	Renner
Evans	Klapstein	Shariff
Friedel	Kryczka	Smith
Fritz	Lord	Snelgrove
Gordon	Lukaszuk	Stevens
Graham	Mar	Tannas
Graydon	Marz	VanderBurg
Griffiths	Maskell	Vandermeer
Haley	Masyk	Zwozdesky
Hancock		

Against the motion:

Bonner	Massey	Pannu
Carlson	Nicol	Taft
Mason		
Totals:	For – 37	Against – 7

[Motion carried; Bill 42 read a second time]

head: **Government Bills and Orders**  
head: **Committee of the Whole**

[Mr. Shariff in the chair]

**The Deputy Chair:** I'll call the committee to order.

### Bill 39 Miscellaneous Statutes Amendment Act, 2003

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Minister of Justice and Attorney General.

**Mr. Hancock:** Thank you, Mr. Chairman. This is a most unusual event for this Assembly. Bill 39, the Miscellaneous Statutes Amendment Act, 2003, is, as its title disposes, miscellaneous statutes. The process we use for development of miscellaneous statutes – and it's not always followed completely, I would have to indicate to the House – is that when a minister brings forward a proposal for a minor change to an act that is not considered to require the full need of debate in the House because it's in the nature of a correction or a small change that is noncontroversial, the minister normally would speak to the opposition critic with respect to the matter and make sure that it was noncontroversial and then, having done so, would bring it forward for approval.

Then sometime mid to late session we send a formal package of proposed amendments to each of the opposition House leaders requesting their consent. They have the option of taking out of that package anything that for any reason they do not think should proceed. In fact, this spring we followed that process, and the opposition did indicate a number of items which were being proposed for miscellaneous statutes and requested that those items be removed, and in fact they were taken out. So when this bill was presented to the House, I had to take great pains to assure the House that all the normal processes with respect to miscellaneous statutes were followed.

Normally, miscellaneous statutes are not debated. Normally, miscellaneous statutes pass with no comment, although in the last two sessions, I think, it's been my experience that there has been

some modest comment at one stage in the bill made by one member of the opposition at a minimum.

So it's a very unusual circumstance that I would rise in my place to move an amendment to the Miscellaneous Statutes Amendment Act, 2003, but in fact we have received a request from the Official Opposition that section 4 of the miscellaneous statutes act relating to the amendments regarding the Surface Rights Act as proposed by the Minister of Sustainable Resource Development be excised from the act, be in fact taken out of the act and not dealt with at this time because there may be issues which the opposition wishes to debate or discuss relative to those amendments.

Now, it is extremely unfortunate that the process wasn't followed and that these were not taken out prior to the bill being printed and being brought before the House, but again I assure the House that the entire process was followed as is normal, and I'm given to understand that the Minister of Sustainable Resource Development spoke with the Opposition House Leader as a matter of fact, who's the critic for his department, in February of this year with respect to this amendment and had a belief at that time that the amendment could go forward. We forwarded the amendments to the opposition on April 28, I believe, of this year – so that's some three weeks ago – and subsequent to that time got an acknowledgment that, well, as I say, a couple of items were taken out and others were approved to go forward. So that process has been followed.

It is now up to me to move an amendment, an amendment which, I want to assure the House, is not one that's of my doing but one that's being requested by the Official Opposition related to removing section 4. The amendment is being circulated. I would move that the bill be amended as follows: in part A section 4 is struck out.

**The Deputy Chair:** Hon. members, the amendment is being circulated, and we shall refer to this as amendment A1.

Hon. minister, you may proceed.

**Mr. Hancock:** Thank you, Mr. Chairman. I would hope that this does not become a precedent for us in the House. I think the vehicle of miscellaneous statutes has proved to be a very useful vehicle for the Legislature and for the House. There are always small items which come forward which ought to be dealt with. In this particular act, for example, the School Act amendments put in a clause relative to protection from liability. That's something that everybody acknowledges ought to happen. It's something which can be dealt with in the vehicle of miscellaneous statutes, and I'd hate to see us lose this vehicle as an appropriate way to deal with those minor items that can be dealt with quickly and succinctly. So I'm hoping that this will not become either a breach of the convention that we normally follow nor a normal process but that we engage in this in the rarest of circumstances.

I have to say that I understand from the opposition that having seen the final, printed form of the amendment and having circulated it to stakeholder groups, they have had some people come back and comment on it. It's their desire to have a closer look at it, perhaps further debate on it, so I can understand the rationale at this time for asking that it be deleted. Nonetheless, it is a significant and unusual change to our process.

With those words, I would ask the House to consider the amendment.

4:40

**The Deputy Chair:** The hon. Member for Edmonton-Ellerslie.

**Ms Carlson:** Thank you, Mr. Chairman. I generally agree with the comments that the Government House Leader made. His feathers are a little ruffled, so he's a little more aggressive than he might

otherwise be in these circumstances, but generally speaking, what he said is accurate.

This is an unusual circumstance for us. It is true that the Minister for Sustainable Resource Development brought this particular amendment to me early on in the year, and it seemed to be fine. Our process with miscellaneous statutes once we receive them is to send them out to stakeholder groups and get the feedback. Generally, there is no problem. The time lines are always tight, though, because miscellaneous statutes tend to come at the end of the session. The government needs to get them to the printers; they need to get distributed.

In this particular instance, we had two particular groups come back to us with very, very aggressive comments. One of them, that I have before me, is in fact nine pages long, and part of it was also circulated with the Minister for Sustainable Resource Development. This person's concerns are very significant, are legitimate, and need to be heard. It would have been negligent on our part to say to them: okay; after we asked for your input and you gave it to us, we can't speak to it in the Legislature because we have this agreement with the government. If the concern had been minor, we still might have done that, Mr. Chairman, but in this case, for this person and this other group of people who have contacted us, their concerns are very significant. So it would be better if we see this come as a stand-alone bill that can be debated within the Legislature and recirculated with the concerns outlined to others. It is not our expectation that this would happen again in the future. There have been cases in the past where we've had minor statements being made in miscellaneous statutes, but even that I don't like to see happen very often.

The intent here is for legislation to come forward that is very minor in nature and that has unanimous consent in this House. It is my expectation that that's the process that will be followed. The House leader is completely correct when he says that we have the right to have pieces withdrawn prior to printing, and we often do. In this case, we had two. It was just because of the timing of the stakeholder input that came back that we are now asking for this amendment to be brought forward.

We thank the government for bringing the amendment forward, and we hope for a speedy passage of the rest of this particular bill.

[Motion on amendment A1 carried]

[The clauses of Bill 39 as amended agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? Carried.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I would move that the committee rise and report Bill 39.

[Motion carried]

[The Deputy Speaker in the chair]

**Mr. Shariff:** Mr. Speaker, the Committee of the Whole has had under consideration and reports the following with some amendments: Bill 39. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Does the Assembly concur in this report?

**Hon. Members:** Agreed.

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

head: **Government Motions**

#### **Ethics Commissioner Appointment**

20. Mr. Hancock moved:

Be it resolved that the Legislative Assembly concur in the May 8, 2003, report, part one, of the Select Special Ethics Commissioner and Ombudsman Search Committee and recommend to the Lieutenant Governor in Council that Donald M. Hamilton be appointed Ethics Commissioner of Alberta for a five-year term.

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

**Mr. Hancock:** Thank you, Mr. Speaker. I understand that the search committee has had a very significant process and job under way, that there were numerous applicants for this position, and that they have met diligently to make a recommendation to this House, and it would be normal that this House would concur in that recommendation.

[Mr. Shariff in the chair]

Before leaving the debate, however, on the motion, I would just want to add a couple of words of thank you to our retired Ethics Commissioner, Bob Clark, who has served this Assembly and Albertans very well over the course of his tenure as our Ethics Commissioner and, indeed, for that matter as our Privacy Commissioner. When the role of Ethics Commissioner was first set up and Mr. Clark was selected to that position, he brought to the position a great degree of understanding of the political process having participated in it somewhat thoroughly from a young age, so a good solid knowledge of the House, of the role of members, of what we do and how we do it, and a very good commonsense approach and understanding of the process together with an affinity for the issues that come under the concept of an Ethics Commissioner. We can only hope that the individual who is being recommended by the committee and who I'm asking the House to concur in his appointment will serve as diligently and as well – and I'm sure he will – as our first Ethics Commissioner. So while commending the report to the House and asking the House to pass this motion directing Executive Council to make the appointment of a legislative officer for the Ethics Commissioner role, we also at the same time acknowledge with respect and appreciation the service of Bob Clark as our first Ethics Commissioner in this province.

Mr. Speaker, I would ask that we approve the motion.

**Some Hon. Members:** Question.

**The Acting Speaker:** Are you ready for the question?

The hon. Government House Leader to close debate?

[Government Motion 20 carried]

**The Acting Speaker:** Hon. members, may we briefly revert to Introduction of Guests?

[Unanimous consent granted]

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

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

**Mr. Snelgrove:** Thank you, Mr. Speaker. It's with pleasure I rise to introduce the mayor of our fine town of Vermilion. Thank goodness I was awake in my chair when she came in so that the stories won't get back home about my normal actions here. It's with a great deal of pleasure that I introduce Her Worship Judy Woyewitka, the mayor of Vermilion. I would ask her to rise and please accept the warm welcome of this Assembly.

**The Acting Speaker:** The hon. Treasurer.

**Mrs. Nelson:** Yes, Mr. Speaker. I, too, would like to introduce someone who's visiting us, a former member of the Legislature who sat here for a great number of years and contributed plenty to the mix here, Alan Hyland. I'm delighted to see him. He's from, I'm going to say, Bow Island. I probably have the wrong constituency name because we keep changing them. I'd like all hon. members to afford him the welcome of the Legislature.

head: **Government Bills and Orders**  
head: **Committee of the Whole**  
(*continued*)

[Mr. Shariff in the chair]

**The Deputy Chair:** We'll call the committee to order.

4:50 **Bill 42**  
**Electoral Divisions Act**

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I have provided the table with copies of an amendment, and I would ask that we proceed to circulate the amendment at this time. As I promised members of the House both in debate on the motion and on first and second readings with respect to the Electoral Divisions Act, I have put together a package of amendments based on some parameters that meet the criteria and the context of the act, and so I would like to . . .

**The Deputy Chair:** Hon. member, just as the amendments are being circulated, I'd like you to give due courtesy to the members of this Assembly for a minute or so while the amendments are being circulated. We shall refer to this amendment as A1.

Okay. Hon. minister, you may proceed.

**Mr. Hancock:** Thank you. Yes. I was just going to speak generally to it until it was circulated and then move it.

A change in electoral boundaries, Mr. Chairman, can be a very sensitive political issue, as we've seen already in exchanges in this House. In our tradition and by our legislation these matters are directed to a commission that operates within a set of guidelines and that is tasked with determining the fairest distribution. The process is generally nonpartisan and independent of government. Moreover, once a commission reports, very little is usually done to change the report. As members know, the Legislature approved the 2002 Electoral Boundaries Commission report in principle on April 14, and the bill is now before the House.

Basically, what I have advised all members of the House – and it's up to members to proceed as they wish. Because the bill is a very technical one in nature and there are some times in the process when the commission can draw boundaries and perhaps from time to time not have the detailed knowledge that they might need of a particular community or spot, there are times when a boundary is drawn in an area which is quite inappropriate; i.e., it winds through a neighbourhood, separates neighbourhoods, those sorts of issues. So as part of the normal process there are, indeed, minor amendments that are made to Electoral Boundaries Commission reports, but in putting forward the process to government caucus and as I also indicated to both opposition caucuses, I was prepared to recommend to the House amendments which were consistent with the context, parameters, and philosophy of the report and which were respectful of the averages and ranges it provided in the report.

I would like to now move the amendments that are being distributed in the form that's been provided to the table. These amendments are being brought forward where communities have requested them to reunite communities which were split unnecessarily or inappropriately or where population ranges could be respected. For example, there are situations in Calgary where lines wandered through communities. I'll just briefly run through the proposed amendments, and I have provided the opposition members with copies of a synopsis of the changes that were being proposed so that we don't have to actually look to the detail in here, which I can assure all hon. members has been drafted by Parliamentary Counsel and reviewed by the chief electoral office with respect to the intricate details of the amendments.

What we're proposing is to change the name of several constituencies; for example, the electoral division of Edmonton-Jasper Place, so-called in the report, has been proposed to be changed back to Edmonton-Meadowlark. The constituency of Edmonton-Meadowlark hasn't been changed a great deal in the report from the existing constituency, but for some reason the name Edmonton-Jasper Place-Meadowlark crept into the interim report and then just Edmonton-Jasper Place in the final report. In fact, the old town of Jasper Place in Edmonton is not within the confines of this proposed constituency. So the proposal was to change the name back to Edmonton-Meadowlark.

The second one is the change of the name of Dunvegan to Dunvegan-Central Peace. Again, this is one of the special constituencies which can vary in size and be over the plus or minus 25 percent. This is a very large constituency, and while Dunvegan is a well-known historical bridge and place in northern Alberta, Dunvegan-Central Peace more accurately describes the total area that is covered by the constituency, and in the interests of making sure that people have some context the change is being proposed.

In the constituencies of Calgary-Lougheed and Calgary-Shaw the community of Shawnessy was split somewhat in half, and the proposal was to reunite that community into one constituency, and the logical place to do that was in the constituency of Calgary-Shaw. The population reduction was not so significant as to take Calgary-Lougheed out of the range that the commission had set out, and in fact Calgary-Lougheed is a high-growth constituency in any event, so that should not pose problems now or in the future.

Calgary-Fish Creek, as well, shared Lake Bonavista with Calgary-Egmont after the boundary commission had finished drawing their boundaries, and it was proposed that the Lake Bonavista community ought to be together and in one constituency, so the proposal suggests that it be joined in the constituency of Calgary-Fish Creek. That removes some population from Calgary-Egmont, but there was another community, the community of Riverbend, which was closely aligned with Calgary-Egmont but not at all aligned with Calgary-

Hays, where the other half of it was repositied. So the proposal is to bring the community of Riverbend back in the constituency of Calgary-Egmont. That leaves the constituency of Calgary-Hays of relatively modest size for an urban constituency. That could have been a problem with respect to this, but members have done some research, and it's been demonstrated to me that Calgary-Hays has in fact engendered huge growth even since 2001. So while it would appear on the surface that this would be a small constituency, actually as of today's date it's probably one of the larger constituencies in the area, so that should not cause a problem. It's not outside the parameters, I would submit.

In Calgary-Mountain View and Calgary-North Hill the community of Renfrew was cut in half, and in fact the boundary sort of meandered through the community of Renfrew, so it would be very difficult for someone who is a member of the community to really know where they would be voting or which side of the boundary they were on. It made sense to reunite Renfrew in Calgary-Mountain View and use the boundary of 16th Avenue, which is highway 1, and Deerfoot Trail as the true delineating boundaries of that constituency. It does make Calgary-Mountain View probably the largest constituency in Calgary, but again if you look at the ranges that are accomplished, we can stay within the size of the range that the commission set out. Calgary-North Hill becomes slightly smaller than one might expect a core constituency to be, but again it falls within the range, and therefore it was a change which could be accommodated within the parameters which I had to put forward.

We have a similar situation in Calgary-Montrose. Two pieces were added to Calgary-Montrose: one from Calgary-East and one from Calgary-Cross. Again, in both of those circumstances the boundaries were just slightly moved to pick up a piece and add some population to Calgary-Montrose, but in reviewing it, it would appear that it makes more sense for the communities to be together, so we reunited the community of Forest Heights in Calgary-East and reunited the community of Pineridge in Calgary-Cross, and by making those modest changes, there's a modest population shift, but again the constituencies stay within the range.

In Edmonton there were a number of anomalies that could have been dealt with, but one of the parameters that I set out was that the members representing those constituencies had to agree to the change, and that wasn't accomplished. So the only change that we're proposing in Edmonton is to move a small portion, really what would be one poll, from the proposed Edmonton-Manning to the proposed Edmonton-Beverly-Clareview constituency. There were a lot of communities in that area that were very concerned about the changes being made and about the communities being separated, but the change was too big to be accommodated within the context of what we're talking about, so the only change that could be made was that one small movement of a poll.

**5:00**

One of the most significant changes that's being proposed, Mr. Chairman, is with respect to the town of Millet and the surrounding area. When the boundaries report came out, it was immediately clear that the town of Millet and the surrounding area would be moved from the Wetaskiwin-Camrose constituency to the Drayton Valley-Calmar constituency. There's no connection between Millet and Drayton Valley-Calmar; Millet is on highway 2A. There's no common area, and the town, the county, and the city of Wetaskiwin were all quite vociferous in their representations about the need to keep that area together. The member for that area did a considerable amount of work to see how it could be accomplished with the populations, so the proposal in that area is to move Millet and region back into Wetaskiwin-Camrose.

The Wetaskiwin-Camrose constituency as drafted had reached down to encompass the four First Nations in the area, and the proposal is that two of those First Nations would stay within Wetaskiwin-Camrose and two would go into Drayton Valley-Calmar in order to accomplish the population shift. A small piece would come out of the Lacombe-Ponoka constituency to provide a connection. So that is quite a shift but one which was really insisted upon by the communities and one which could be accomplished and still achieve the goals of the report. That then meant that there didn't need to be a name change to Calmar-Drayton Valley-Millet, so we are proposing to leave the name as it was, Drayton Valley-Calmar.

The area of Lacombe-Ponoka is one of the controversial areas, Mr. Chairman. Obviously a constituency was collapsed in this area, so two constituencies were put together. The town of Blackfalds was moved into Red Deer-North. Again, we had considerable representations from the town of Blackfalds and from the county location there, and people in that area were very vociferous that they were not part of Red Deer-North, that they were part of the county and region, so considerable work was put in to see whether that could be accomplished. In fact, with these changes we can move the boundary back to the boundary of the city of Red Deer and put the town of Blackfalds back into the Lacombe-Ponoka constituency. An additional change in that area is to add into Lacombe-Ponoka a small piece that was proposed to go into Drayton Valley-Calmar. That's a trading area into Rimbey. There are very few people in that area, but it's an important area.

I'm going to run out of time fairly soon. Those are the critical changes: a community in Red Deer moved from Red Deer-South to Red Deer-North because it's north of Ross Street, again a natural boundary, and it helps make the population numbers work. I spoke to the Wetaskiwin-Camrose one. There are some changes to move areas north of Athabasca into the Athabasca-Redwater constituency from Lesser Slave Lake because, again, there's no connection to Lesser Slave Lake, no road directly across, and they fit more closely in that constituency. Lesser Slave Lake is accommodated by moving it north to pick up Tallcree First Nation, which is now in the constituency of Lesser Slave Lake, so there is an affinity.

Small changes like Garden River, a small community in northern Alberta on the west side of Wood Buffalo national park, was included in the report in the Wood Buffalo constituency. It has no connection. There's no access; there's no way of getting there. In fact, it relates to the Peace River constituency, so it makes sense to move it into that area.

Those are the changes, Mr. Chairman. There's one in Grande Prairie, again, that just realigns some of the city population and some around Cold Lake, which again respects the question of access and where people relate. For example, the Onion Lake First Nation relates to Lloydminster. It was moved into Cold Lake. There's no direct access to Cold Lake. So those are the types of changes.

I have to say quickly in closing, Mr. Chairman, that there were a lot of changes which were recommended which didn't fall into the parameters, so we couldn't do them; for example, the Member for Highwood on behalf of the towns of Turner Valley and Black Diamond and in fact much representation from those two towns to be moved from Foothills-Rocky View into Highwood. We looked at that very closely, but it would have left Foothills-Rocky View as a constituency that was way too small, and it would also have left issues with respect to, for example, the town on the north end of that constituency, Crossfield, which would also have the same kind of comment about association, so it couldn't be accommodated.

So we've done the best we can to make the changes which the communities have asked for, and I think it's a package which makes sense. I would commend it to the House.

**The Deputy Chair:** Hon. member, I've just been reminded that you still have four minutes left. It was the wrong clock that beeped. So if you want to finish your remarks, I'll recognize you.

**Mr. Hancock:** Thank you, Mr. Chairman. I don't have much more to say, but I rushed that last bit. I did want to explain that numerous communities wrote. People have written saying that they want changes made, but in every case they were looked at by myself in terms of: did they meet the tests? Did they stay within the ranges? Were they changes which could be supported by the members who represented the constituencies affected? They're the closest to the community and understand their community. Does that leave the report intact?

I was using the example of Black Diamond and Turner Valley, where they made very good, compelling arguments about their business association with High River and Okotoks and the municipal arrangements that they had together, but when it came to the final analysis, it left the Foothills-Rocky View constituency too small and left it open to the same question with respect to Crossfield and its desire perhaps to stay with Airdrie in the Airdrie-Chestermere constituency.

So, Mr. Chairman, not an easy task to take a look at the report, to ask members to look at their own communities to make sure of the fine detail that can come from the expertise that individual members of the House have in knowing their own communities and knowing how they relate together – again, done entirely, I might say, on a nonpartisan basis without any discussion about the politics of it but merely a thorough discussion about reuniting communities where it was possible, making those changes that made sense because the communities wanted them changed and the population numbers could be accommodated and the changes could be accommodated in the context of the philosophy and the direction that was given to us by the boundaries commission.

**The Deputy Chair:** The hon. Member for Edmonton-Ellerslie.

**Ms Carlson:** Thank you, Mr. Chairman. The Official Opposition has very, very grave concerns about the process by which this amendment hit our desks this afternoon on this particular bill. The principle being violated here is that politicians don't draw boundary maps. In fact, the Government House Leader himself said that the process should be nonpartisan and independent of government. The instant he brings in an amendment that moves constituency boundaries, the whole process becomes partisan and becomes dependent on government.

Mr. Chairman, the Official Opposition will not be a part of that process.

[The voice vote indicated that the motion on amendment A1 carried]

[Several members rose calling for a division. The division bell was rung at 5:09 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mr. Shariff in the chair]

For the motion:

Ady	Hancock	Masyk
Cao	Herard	Nelson
Cardinal	Hutton	Norris

Coutts	Jacobs	O'Neill
Evans	Jonson	Ouellette
Friedel	Klapstein	Pham
Fritz	Kryczka	Renner
Gordon	Lord	Smith
Graham	Lukaszuk	Snelgrove
Graydon	Mar	Stevens
Griffiths	Marz	VanderBurg
Haley	Maskell	Vandermeer

5:20

Against the motion:

Carlson	Massey	Taft
Mason		

Totals:	For – 36	Against – 4
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[Motion on amendment A1 carried]

[The clauses of Bill 42 as amended agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? Carried.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I would move that the committee rise and report Bill 42.

[Motion carried]

[Mr. Shariff in the chair]

**Mr. Klapstein:** Mr. Speaker, the Committee of the Whole has had under consideration and reports the following with some amendments: Bill 42. I wish to table copies of all amendments considered by the Committee of the Whole on this day for the official records of the Assembly.

**The Acting Speaker:** Does the Assembly concur in the report?

**Hon. Members:** Agreed.

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

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. It appears that we have made excellent progress today with respect to the matters that were before the House, and therefore we cannot proceed further without unanimous consent with respect to the appropriation bill. Rather than ask the House for unanimous consent, because some members might not be expecting it, I would move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; at 5:24 p.m. the Assembly adjourned to Wednesday at 1:30 p.m.]