

Legislative Assembly of Alberta

Title: Thursday, November 27, 2003 **1:30 p.m.**
Date: 2003/11/27
 [The Speaker in the chair]

head: **Prayers**

The Speaker: Good afternoon.

Let us pray. Our divine Father, as we conclude for this week our work in this Assembly, we renew our thanks and ask that we may continue our work under Your guidance. Amen.

Mr. John McInnis
October 19, 1950, to November 26, 2003

The Speaker: It is with sadness that my office learned today of the passing of former member John McInnis on Wednesday, November 26, 2003, at the age of 53 years.

Mr. McInnis was first elected to the Alberta Legislature in the general election of March 20, 1989, and served until June 15, 1993. During his years of service he represented the constituency of Edmonton-Jasper Place for the New Democrat Party.

During his years in the Legislature Mr. McInnis served on the Special Standing Committee on Members' Services, the Standing Committee on Public Affairs, and the Special Committee on Constitutional Reform.

With our admiration and respect there is gratitude to members of his family who shared the burdens of public office. Our prayers are with them.

In a moment of silent prayer I ask you to remember John McInnis as you have known him. Rest eternal grant unto him, O Lord, and let light perpetual shine upon him. Amen.

Please be seated. [as submitted]

head: **Statement by the Speaker**

Failure of Sound System

The Speaker: [Not recorded] The speaker system doesn't work, so let's proceed.

head: **Introduction of Visitors**

The Speaker: The hon. Member for Peace River.

Mr. Friedel: Thank you, Mr. Speaker. It's my pleasure to introduce to you and to members of this Assembly the members and staff of the Northern Alberta Development Council. They're here in Edmonton today and tomorrow for meetings. Once each year we hold a meeting in Edmonton so we can get together with all the northern MLAs and the folks in Edmonton who we deal with and do business with. It's my pleasure to introduce these members, and I'm going to ask them to rise as I call their names and to remain standing: Sandra Cardinal, member from Kikino-Lac La Biche, Wendell MacEachern from Fort McMurray, Ron Faulkner from McLennan, Maurice Rivard from Bonnyville-Cold Lake, Mike Mihaly from High Level, Doris Courtoreille from Kinuso. Our staff: first of all, my executive assistant, Gladys Gammon; Tom Baldwin, the executive director of NADC; Jennifer Bisley; Jan Mazurik; and Brad Bishop. I would ask that we show them the traditional warm welcome of the Assembly.

Mr. Lougheed: Mr. Speaker, I am pleased to introduce to you and to members assembled a person seated in a wheelchair in your gallery. His name is Sam Sullivan. He's a Vancouver city council-

lor and a founder of the Tetra Society of North America. As members know, persons with disabilities often need custom-designed assistive devices, perhaps like a special loop of velcro or a flexible cell phone holder or some wheelchair modifications. The Tetra Society brings skilled volunteers together with persons with disabilities who need such assistive devices to improve their quality of life and perhaps help them do their jobs more easily. We're fortunate to have the Tetra Society operating in Red Deer, Medicine Hat, Edmonton, Calgary, and Lethbridge. I'd ask members assembled to please welcome Sam to the Alberta Legislature.

head: **Introduction of Guests**

Mr. Jonson: Mr. Speaker, today it's my privilege to introduce to you and through you to members of the Assembly 19 students from Rimbey Christian school. They are accompanied by teachers Kathy Nieuwenhuis and Wendy Dolman and parent and teacher helpers Jim Buist, Gail Loov, Shawn Rode, and Anna Van Haastert. They are seated in the members' gallery, and I would ask that they rise and receive the traditional warm welcome of this Assembly.

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

Mr. Dunford: Well, thank you, Mr. Speaker. I have the honour today of introducing a group of five guests. They're led today by Dr. Austin Mardon, Ken and Dax Noden, Arthur Lau, and Miroslav Moravecky. All five guests are from the AISH activist community and are seated in the members' gallery. I would ask all members of the Legislature to give them a warm welcome.

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

Mr. Maskell: Thank you, Mr. Speaker. On behalf of the hon. Member for Edmonton-McClung it gives me great pleasure to introduce to you and through you 25 grades 5 and 6 students from Parkland Immanuel school and their teacher, Mr. Bernie Van Raalte. Also accompanying the students are parents Mrs. Idelle Peters, Mrs. Shirley Rypstra, and Mr. Albert Nieuwenkamp. The group is touring the Legislature today, and I would ask them to rise as you please join me in giving them the warm Legislature welcome they so rightly deserve.

The Speaker: The hon. Member for Highwood.

Mr. Tannas: Thank you, Mr. Speaker. It is my pleasure today to introduce to you and through you to members of the Assembly 12 students from the Faculty of Law at the University of Alberta who are enrolled in legislative process and legislative drafting, which is taught by Mr. Rob Reynolds, our Senior Parliamentary Counsel, and Mr. Peter Pagano, our Chief Legislative Counsel. They are seated in the members' gallery, and I would ask them to now rise and receive the warm traditional welcome of the Assembly.

The Speaker: The hon. Member for Edmonton-Castle Downs.

Mr. Lukaszuk: Thank you, Mr. Speaker. It's indeed my pleasure to introduce to members of this Chamber two fine gentlemen: the president of ATCO Electric, Mr. Dick Walthall, accompanied by his colleague from ATCO Mr. Bart West, who also is an honorary colonel of the 408 tactical helicopter squadron stationed here in Edmonton. I would ask these two gentlemen to rise and accept the traditional warm welcome of this Assembly.

1:40

Mr. Klapstein: Mr. Speaker, I'm delighted to introduce to you and through you to Members of the Legislative Assembly two groups of students from the New Sarepta community in my constituency. The first group is from New Sarepta elementary school, 56 visitors including teachers Mrs. Carrie Erdmann and Mrs. Lynn Chalmers, parent helpers Mrs. Janice Embury, Mrs. Eileen Radawetz, Mrs. Mary Anne Babcock, Mrs. Lorraine Spurrell, Mrs. Barbara Volkman, Mrs. Joyce Tiernan, Mrs. Shelley Schmidtke, Mrs. Connie Vandenberg, and Mrs. Dianne Simpson.

The second group is from New Sarepta community high school, 23 visitors with teacher Mrs. Kirsten Newman and parent helper Mrs. Cindy Payne.

I'd ask them to rise and please receive the warm welcome of the Assembly.

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

Rev. Abbott: Thank you, Mr. Speaker. Today is an historic day. Several government MLAs had lunch with several ATA local presidents. In fact, they bought, so that was really good. We had a great time discussing class sizes and class composition as well as some Learning Commission recommendations. I'm going to ask these people to stand as I call out their names and to please remain standing until the end, and then we will welcome you.

First of all, we have the ATA district rep for central west, Jere Geiger; Gary Hansen, president of Wetaskiwin local; Brenton Baum, president of Timberline local; Sheila Fraser, president of Black Gold local; Tarynne Dirk, public education chair of Black Gold regional; Chris McCullough, president of Red Deer separate; Ed Somerville, president of Red Deer public; Lou Edwards, president of Wolf Creek; and Bob Worsfold, president of Chinook's Edge. I'd ask my colleagues to please welcome them.

The Speaker: The hon. Member for Innisfail-Sylvan Lake.

Mr. Ouellette: Thank you, Mr. Speaker. It's with great pleasure that I rise on behalf of the hon. member from the Wainwright constituency to introduce to you and through you to all members of the Assembly 26 visitors from Amisk school. Accompanying them are their teachers, Mr. Travis Stachniak and Mrs. Patti Houde, and parent helpers Mrs. Gina Vetter, Mr. Bob Amundson, Mrs. Shelley Drever, Mrs. Leanne Matthews. I'm not sure if they've got into the gallery yet, but if they are in the public gallery, I'd like them to stand and we'll give them a big welcome from the Legislature.

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

Dr. Pannu: Thank you very much, Mr. Speaker. I'm delighted to introduce to you and to this House two politically engaged young Albertans who have campaigned tirelessly over the last several months against the removal of the tuition cap in the province. They are Shannon Phillips, co-host of a radio show called *Rise Up: Radio Free Edmonton*, and Melanee Thomas, who is executive director of the Council of Alberta University Students. They are seated in the public gallery, and I'd now ask them to rise and receive the traditional warm welcome of the Assembly.

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

Mr. Mason: Thank you very much, Mr. Speaker. I'm pleased to introduce to you and through you to the Assembly Mr. Kenneth

Dombrosky. Mr. Dombrosky was injured in October of 1981. He's been through the appeal process for WCB many times and has no further recourse barring the establishment of a long-standing claims tribunal. My constituency office in Edmonton-Highlands has been assisting Mr. Dombrosky with his concerns. I'd ask Mr. Dombrosky to rise and receive the warm welcome of the Assembly.

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

Mr. Cardinal: Thank you very much, Mr. Speaker. I'd like to introduce to you and through you to Members of the Legislative Assembly Rob Harris. Rob is a new public affairs officer in my department. If Rob can hear me, I'd like him to stand and receive the traditional warm welcome of the Assembly.

The Speaker: The hon. Minister of Environment.

Dr. Taylor: Thank you, Mr. Speaker. I'm pleased to rise and introduce to you and through you to the House a number of people that have made the Water for Life strategy work, and I'll be making a ministerial statement on that in a minute. We have here from my department Bev Yee, Justin Toner, Robert Harrison – Peter Watson is not here – and Valerie Mellesmoen, my communications director, who, I can assure you, does a very difficult job. Would those people please rise and receive the warm welcome of the House.

head: **Ministerial Statements**

The Speaker: The hon. Minister of Environment.

Water Management

Dr. Taylor: Thank you, Mr. Speaker. I'm pleased to rise today and talk about what I consider will be the most important issue of the 21st century, and that's water. In Alberta our quality of life and life itself depends on a healthy and sustainable water supply for the environment, for our communities, and for our own economic well-being. As everyone here knows, Alberta is facing significant pressures on its water resources. Population growth, drought, agricultural and industrial development are increasing the pressure on water supplies. This government is committed to wise management of Alberta's water and to ensure that we have a healthy, sustainable supply into the future.

As a reflection of that commitment, I'm pleased to announce that earlier today on behalf of my colleagues I released Water for Life: Alberta's Strategy for Sustainability. Because water is vital to all Albertans in all areas and all communities across the province, their opinions and ideas played a vital role in the development of this strategy. An extensive provincial consultation process began almost two years ago. There was an ideas generation group, public outreach and consultation, and a minister's forum on water. Albertans from all corners of the province contributed to this, Mr. Speaker. As a result, we have a truly Alberta-made solution: Water for Life. No other jurisdiction in the country is trying to do this broad Water for Life strategy, as we're doing here. Later this afternoon I will table the appropriate number of copies, Mr. Speaker.

Albertans told us that this Water for Life strategy is a blueprint for how citizens, communities, industries, and governments would work together to ensure that Albertans have safe drinking water, that Albertans have healthy river systems, that Albertans have healthy ecosystems, and also that Albertans want water managed effectively to support sustainable economic development.

In order to fulfill these commitments and meet the specific targets, the actions outlined in this strategy revolve around three core areas: knowledge and research, partnerships, and water conservation. By working together, all Albertans can improve their knowledge. We can take steps to ensure that we have a vital and safe supply of water for drinking and for the ecosystem and for the economy. I believe that if Albertans are going to continue to benefit from a reliable source of clean water, we all have to change the way we deal with water – you, Mr. Speaker, myself, everybody in the House.

In conclusion, I will say that this is an evolving document. As we move forward, we will see things that need to change, Mr. Speaker. We will see things where we need to add more dollars in terms of development. So it is evolving.

Finally, I'd like to thank my colleagues who sit in the House. I couldn't have done it without them. They've been supportive. They've offered constructively critical comments when necessary. So thanks to all my colleagues.

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

Ms Carlson: Thank you, Mr. Speaker. We agree that water is a crucial issue for this century. This is a time for wise decisions to be made for the future. We have an obligation to our children and our grandchildren. Therefore, we applaud the government for finally starting the process of developing a water strategy. We applaud that first step they are taking in developing an education system for water conservation.

But that doesn't take the process nearly far enough. We're looking for leadership. We're looking for vision. We're looking for goals and measured outcomes. We haven't seen this in this water strategy. So we need this government to take the next step and make some hard decisions: to inventory the water that we have in this province, to determine what kind of usages we can make of the water we have and where development can occur. Then we have a place where we can devise the strategy for the future. We need this government to not pass the buck and make municipalities responsible for metering, and they have no responsibility there. If it takes dollars, if it takes any other kind of assistance, this government needs to make that commitment, because right now more than half of this province does not have metered water going into households, and that is really irrevocably bad in terms of looking for long-term water conservation.

So while this government has taken the first baby step, the path that we're on leads up a steep hill, and they've got to be way more aggressive before we see the final outcomes.

Thank you.

1:50

The Speaker: Hon. Member for Edmonton-Highlands, you would like to participate?

Mr. Mason: Yes, please.

The Speaker: Under our rules we would need unanimous consent of the Assembly because your party is not a recognized party because of the two seats it has in the Assembly.

[Unanimous consent granted]

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

Dr. Pannu: Thank you, and thank you to all my colleagues in the Legislature for this opportunity for me to participate. There is much

to like in the Water for Life strategy announced today by the Minister of Environment. Water is essential in life itself. Climate change, combined with ongoing growth in population and industry, is putting pressure on this essential resource. The focus on conserving and reducing water use is commendable, as is the initiative to improve drinking water quality in all Alberta communities, large and small.

At the same time, serious questions remain, Mr. Speaker. For instance, increasing amounts of our finite water resources are being used by the oil and gas industry for enhanced recovery schemes. Once injected, this water is lost forever. Will the government put some teeth into its standards to phase out these uses by the energy industry?

Secondly, I hope the government won't use the looming water crisis to go on a dam-building spree. There is currently a push to build a dam on the Red River.

Finally, the water strategy must not turn bulk water into a market commodity to be bought, sold, and possibly exported. The New Democrat opposition will be watching closely as this water strategy unfolds.

Thank you, Mr. Speaker.

head: **Oral Question Period**

Water Management

Dr. Nicol: Mr. Speaker, the government's water strategy has been carefully crafted. After two years and much stakeholder consultation what we have is a splashy ad campaign and a water strategy full of holes. My questions are to the Minister of Environment. Why are you waiting until 2007, after the next election, to discuss "economic instruments" – in other words, charging for water – as a necessary tool to meet water conservation objectives?

The Speaker: The hon. minister.

Dr. Taylor: Thank you, Mr. Speaker. I would point out that if you look at the strategy, it's a 10-year plan. Before we do move forward on anything, we have to gather information. Our knowledge base is not adequate to make appropriate decisions in some areas at this time. So there has to be a gathering of knowledge, a gathering of scientific information. So in terms of economic instruments, we have to first of all determine: what is the economic value of water to our society? We have to determine that.

Secondly, we have to determine issues around the context of the actual cost of delivering water to you. For instance, we do not know the true cost of accounting in delivering water to the members' houses in Edmonton or Lethbridge or wherever they happen to live. So we have to determine economic value. We have to determine, as I say, the true cost of accounting in water, which we estimate will take us anywhere from one to three years to do in consultation with Albertans, and at that stage, Mr. Speaker, we will be able to consult with Albertans on other issues.

Dr. Nicol: Mr. Speaker, to the same minister: how effective will your water strategy be given that you still don't have an inventory of water resources in this province?

Dr. Taylor: Well, that's exactly the point I just made, Mr. Speaker. If you look at the budget for the water strategy, about half the budget is operational and about half is capital, and on the operational side we readily admit that we need to develop a knowledge base. That's what the strategy is about.

If I could point out, Mr. Speaker, around Edson we have a fairly good idea of where the groundwater is. Around the Milk River basin we have a fairly good idea where the groundwater is and how much there is and of what quality. But for much of the rest of Alberta we don't have that information. So as we move forward, before we make decisions, we have to develop a knowledge base, and I think the member will appreciate that.

Dr. Nicol: To the same minister, Mr. Speaker: why does your strategy not openly discuss a plan to conserve water through metering of residential and industrial users?

Dr. Taylor: Mr. Speaker, one of the main thrusts of our strategy, one of the three main points, is conservation. I mean, how can you be any clearer than to say con-ser-va-tion. It's very clear; it is one of the main points. Metering for both industrial and homes is very important. I said it at the news conference, and I've said it many times before: if water is metered, people use about half the amount of water than where it is not metered.

Dr. Nicol: Mr. Speaker, it's good to hear him talking so positively about metering.

The government's water strategy includes plans for, and I quote: developing a water allocation transfer system to ensure a viable market exists. End of quote. To the minister: does this mean that the licence holders will be able to sell surplus water from their licence and profit from a public resource that is given to them free?

Dr. Taylor: Mr. Speaker, we already have in southern Alberta the water allocation transfer system. If I go back to 2001, as the member knows, in the irrigation districts, because they could get about 50 percent of their water for the farmers in each district, they allowed farmers to transfer water to another person. So, in fact, they need a lot of water. If you didn't have enough water, I could transfer, sell water to the member here. The system is in existence today, and it will continue to be in existence. What it does is it drives water to its highest value use.

The Speaker: The hon. leader.

Dr. Nicol: Thank you. The minister is talking about determining market value for water. How are you going to do that unless you have a truly open market that's accessible to all Albertans, not just the transfers that you've talked about where one irrigation farmer can transfer to another irrigation farmer?

Dr. Taylor: Actually, Mr. Speaker, in southern Alberta in the South Saskatchewan River basin it is broader than just irrigation farmers. Anybody that holds a licence in the South Saskatchewan River basin can transfer water to another user, and it's up to them to determine what sort of deal. Do they transfer it for one year? Do they transfer it permanently? Do they transfer all of it? Do they transfer part of it? That system was in existence, and we see that system being expanded to the rest of the province.

The Speaker: The hon. leader.

Dr. Nicol: Thank you, Mr. Speaker. To the same minister again: will this kind of system that he's talking about allow for interbasin marketing of water as well?

Dr. Taylor: No, Mr. Speaker. In Alberta's case we have legislation that says that if there's going to be any interbasin transfer of water,

we have to have a special act of the Legislature. If you remember, as I'm sure you do, Mr. Speaker, last year I brought forward an act to allow an interbasin transfer around Red Deer, and that's the way we'd have to go. Even in spite of that, if he's suggesting that we will sell water to the U.S., that is clearly prohibited in Alberta law.

Municipal Regulation of Oil and Gas Development

Mr. Bonner: Mr. Speaker, residents of rural Alberta have given up on this government ever fixing its energy deregulation mess. At a meeting last night residents and councillors from the county of Strathcona started planning how to regulate the energy industry at the municipal level because this government has failed to do it at the provincial level. To the Minister of Municipal Affairs: will the government support the efforts of the residents of Strathcona county to regulate the energy industry at the municipal level?

The Speaker: The hon. minister.

Mr. Boutilier: Thank you, Mr. Speaker. To the hon. member, municipalities are important stakeholders in the EUB decision-making process. They often participate in the process along with the residents and ratepayers. Municipal submissions to the EUB could include a comprehensive municipal planning policy on oil and gas development as well as considering the community's long-term growth patterns and sensitive landscapes.

2:00

Now, oil and gas development is seen to be beneficial to all Albertans. The importance of the provincial interest is reflected in the fact that oil and gas wells, batteries, and pipelines are specifically exempted from local municipal planning authority under the Municipal Government Act. The specific section, actually, is 620, for the hon. member's benefit.

Furthermore, section 619 of the MGA provides that the decisions of the EUB take precedence over municipal statutory plans, land use bylaws, and planning decisions.

Mr. Bonner: To the same minister: given that municipalities feel that the Energy and Utilities Board ignores their interests, when will the government start to defend municipalities' interests and recommend a review of the EUB's mandate?

Mr. Boutilier: Once again, Mr. Speaker, to the hon. member, section 619 of the MGA does state that the decisions of the EUB take precedence over any municipal statutory plan, land use bylaw, and planning decision. That is what's taking place, but clearly it is not pre-emptive of citizens and municipal leaders participating in the EUB process in terms of the concerns that the hon. member has raised.

Mr. Bonner: To the Minister of Energy: why is the government's record on regulating oil and gas development so bad that the municipalities feel that they have to do it themselves?

Mr. Smith: Well, the short and simple fact, Mr. Speaker, is that the Alberta Energy and Utilities Board is not doing a bad job. In fact, if you look at the most recent press release with respect to gas prices, you can see that gas prices have been reduced.

Mr. Speaker, the important part is that this resource belongs to all Albertans. All Albertans benefit. For example, the county of Strathcona, located immediately adjacent to Sherwood Park, has the highest municipal machinery and equipment tax income in the land

because of the way it processes petrochemicals. So, for God's sake, let's take a look at where the money comes from. It's very clear that we operate in the interests of all Albertans, and it has ruled on an all-Alberta basis.

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

Natural Gas Prices

Mr. Mason: Thank you very much, Mr. Speaker. Yesterday Calgarians learned that December ATCO natural gas bills would jump by 20 percent, something which would have triggered the government's elusive gas rebates. Today Edmontonians learned that to save the government from issuing gas rebates in a nonelection year, they would be stuck paying for the gas used by Calgarians. Calgarians are no doubt relieved to dodge higher energy bills from this government, but Edmontonians are outraged and are demanding to know who stands up for Edmonton. My question is to the Minister of Energy and Member for Calgary-Varsity. Will he stand up for Edmontonians and northern Albertans and direct the EUB to tell ATCO to take a long walk off a short pier?

Mr. Smith: Well, Mr. Speaker, if I were telling anybody to take that walk, it would be a member of this Assembly, the one who has actually just asked the question. In order to correct the erroneous preamble, he would only have had to listen to the response to the former question from the Member for Edmonton-Glengarry. The EUB acts in the interests of all Albertans. It walked through the process with ATCO. In fact, I think we should be quite thankful that gas rates aren't as high that they would kick in this rebate and, in fact, are at a lower price.

The Speaker: The hon. member.

Mr. Mason: Thank you, Mr. Speaker. My first supplementary is to the Minister of Finance and Member for Calgary-Foothills. Will she stand up for Edmontonians and northern Albertans and ensure that funding for Calgarians' natural gas rebates is made available so that Edmontonians don't have to pick up the tab?

The Speaker: The hon. minister. Difficulty hearing the question? Actually, it's the same question as the previous one. It was directed to you as both a minister and a member for Calgary: are you going to stand up for Edmonton?

Mrs. Nelson: Same answer.

Mr. Smith: Can I supplement that, Mr. Speaker?

The Speaker: Yes.

Mr. Smith: It's very evident that the member does not realize that the job of the government of Alberta, the job of the majority leaders, the job of the government under Premier Ralph Klein is to stand up for all Albertans.

The Speaker: We won't mention names because that violates our rules.

Now, to the hon. member, your third question.

Mr. Mason: Thank you very much, Mr. Speaker. To the Premier and Member for Calgary-Elbow: will he stand up for Edmontonians and northern Albertans and encourage his ministers . . .

The Speaker: Okay. Now, hon. member, we know that we have an audio problem, but did the member look?

The hon. Member for Bonnyville-Cold Lake, followed by the hon. Member for Edmonton-Gold Bar.

Family Violence

Mr. Ducharme: Thank you, Mr. Speaker. Family violence is a very serious issue. Last year there were six deaths attributed to spousal abuse in this province. In 2001 there were five deaths. My question is to the Minister of Children's Services. What is the government doing to prevent similar tragedies from occurring in the future?

Ms Evans: Mr. Speaker, the issue of family violence is one that's horrific. It's a tragedy that affects us all. If you put it in purely economic terms across Canada, it's a tragedy that costs Canadians either in the workforce or through health care or through other counseling services \$4.2 billion estimated annually.

In Alberta we have taken great pains over the last year to initiate a number of things. In co-operation with the Alberta Council of Women's Shelters and with the RCMP we have a memorandum of understanding for protocol so that when issues of domestic violence occur, the RCMP are very clear on the management of that, and the shelters in receipt of the individuals are very clear. The interrogation of those that may have perpetrated violence is something that is a learned response by the RCMP. Mr. Speaker, today we are systematically training RCMP officers across Alberta, all 2,200 of them, in the manner in which they respond to domestic violence cases.

Mr. Speaker, we're doing more. We have prevention programs for family and community services. The Premier has announced a roundtable where we can take a look at the community partnerships, our collaboration strategies. With the other ministers that are on the Alberta children and youth initiative, all nine ministers are working together to put their piece of action firmly forward to make a difference both at the community level and in the way government responds to the issues of domestic violence.

The Speaker: The hon. member.

Mr. Ducharme: Thank you, Mr. Speaker. My last question is also to the Minister of Children's Services. Can the minister tell us: what is the goal of the provincial family violence roundtable and when it will be held?

Ms Evans: Mr. Speaker, early in the new year, probably during the month of February, we will have mini regional roundtables to get the collective views from local regions on how we should manage domestic violence, family violence issues, and look at bullying as well in those communities and in those regions. We have planned to have an Alberta-wide roundtable on May 7.

Mr. Speaker, on familyviolenceroundtable.gov.ab.ca you can learn more or register your support or become involved in the roundtable. Every MLA will receive information about roundtables in their region, and we are working right now to put together that proper team of support so that all of the venues that may need to be covered, including elder abuse, justice issues with the Justice minister and the Solicitor General – in every single solitary area where family violence touches the society in Alberta, we are looking at providing supports for their involvement relative to the roundtable.

Mr. Speaker, one more comment to the member opposite, who does a considerable amount in his community to curb the issues of family violence and profile the need to stop and make Alberta violence free. Government is not and cannot be alone in resolving

this problem. This is a problem that rests in the homes of the nation and a problem in Alberta homes, and everybody, including those individuals involved, must be involved in finding solutions to resolve family violence.

The Speaker: Hon. Member for Bonnyville-Cold Lake, is that it? Okay.

The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Lac La Biche-St. Paul.

2:10 **Natural Gas Prices**
(continued)

Mr. MacDonald: Thank you, Mr. Speaker. To the Minister of Energy: after ATCO Gas's initial rate filing for December, why did natural gas rates change and increase by \$8 per month on average, or 36 cents per gigajoule, for northern Alberta consumers and drop by \$25 a month on average, or 97 cents per gigajoule, for southern Alberta consumers?

Mr. Smith: Well, Mr. Speaker, the member knows full well that that's an answer for ATCO and should be directed to the gentlemen that were introduced earlier in the Legislature today.

Mr. MacDonald: Again, Mr. Speaker, to the same minister: how much of this extra \$8 per month from northern Alberta consumers will be used to subsidize consumers in southern Alberta?

Mr. Smith: I'd refer him to the three answers, Mr. Speaker, to the previous questions from the Member for Edmonton-Glengarry and the Member for Edmonton-Highlands.

Mr. MacDonald: Again, Mr. Speaker, to the same minister: given that the minister's performances at mime for Alberta TV watchers will certainly be better than his performance as Energy minister, will this government force ATCO to wait until after the next provincial election to recover those costs from its southern Alberta consumers, just like it did with electricity bills after the last election with deferral accounts?

Mr. Smith: Mr. Speaker, unfortunately, there's not enough time left in question period to correct the errors in the preamble, but I will say that the process of the Alberta Energy and Utilities Board, which has the best reputation in North America if not globally, for the work that it does in regulating an industry that has delivered in the last three years some \$24 billion in hard cash dollars to help this province move toward the most prosperous economic jurisdiction in North America – they do a good job, they did a good job, they're doing a good job today, and I expect them to do a good job tomorrow.

The Speaker: The hon. Member for Lac La Biche-St. Paul, followed by the hon. Member for Edmonton-Riverview.

Consultation with First Nations and Energy Industry

Mr. Danyluk: Thank you very much, Mr. Speaker. My constituents need some clarification between the government's consultation process with our First Nations and the contractors' issues dealing with oil and gas exploration and development in northern Alberta. My questions today are to the Minister of Aboriginal Affairs and Northern Development. Can the minister please illuminate the difference between consultation initiatives and the contractors' issues?

The Speaker: The hon. minister.

Ms Calahasen: Thank you, Mr. Speaker. First of all, unfortunately, there have been erroneous reports that have led to some confusion. I would like to state that the contractors using the government's consultation process are two completely separate processes. However, there is a connection between the two, and the connection is that the contractor issues are a symptom of consultation processes not yet completed. So we're trying to deal with these specifically in different ways.

I just want to talk about the aboriginal policy framework, which is a government policy. It has actually committed Alberta to work with the First Nations and aboriginal communities and industry to improve aboriginal participation in the economy. As a result, the consultation initiative was championed by my ministry in the spring of 2003, and we were able to get \$6 million, which was shared between six ministries: Sustainable Resource Development, Energy, Community Development, Environment, Justice, and of course Aboriginal Affairs and Northern Development.

This was to ensure that the development of regulatory processes affecting land and resource management was to occur. This also meant that we would work with the First Nations and make sure that we began a consultation process, because, Mr. Speaker, once we develop the consultation policy and the guidelines, First Nations and other aboriginal communities and industry and governments will have a better understanding of our individual roles and responsibilities.

The Speaker: The hon. member.

Mr. Danyluk: Thank you very much, Mr. Speaker. My only supplemental is to the same minister. I think that I heard most of it, but I need to know: what has occurred to date, to now, and when can we expect a policy or guidelines to be completely in place?

Ms Calahasen: Mr. Speaker, so far we have met with representatives from First Nations and industry and a number of other groups that had wanted to be involved. We have just begun the second round of meetings to ensure that we know what they have told us and to confirm what they have said to us. Whatever we do, we want to move forward and make sure that we listen to all parties that have been involved. This is a complex issue, and change can't be made overnight. However, improving and developing mutually beneficial relationships among industry, government, and First Nations is an integral part of the work we are committed to fulfilling. It's our intent to have that policy ready by spring of 2004.

Universities' Business Plans

Dr. Taft: Mr. Speaker, for several years the Minister of Learning has asked universities to submit business plans for his approval. To that minister: what process of review does his department undertake with these business plans?

The Speaker: The hon. minister.

Dr. Oberg: Thank you very much, Mr. Speaker. Each and every institution under the Government Accountability Act is responsible to submit business plans to me. We review the business plans and, essentially, file them, give any comments, if we have any comments, back to them. We do not change and have not yet changed these business plans. The only institution that is exempt from this is the Banff Centre. Included in Bill 43 is the mandatory ability for the

Banff Centre to submit business plans to the minister for approval as well.

The Speaker: The hon. member.

Dr. Taft: Thank you. Has the Department of Learning ever requested changes to a university's business plan?

Dr. Oberg: Mr. Speaker, off the top, I would suggest no, but I know that there may have been some very minor ones in the way that the business plans are formatted. There have never been any major ones.

Dr. Taft: Given that provincial government funding for the University of Alberta is below 50 percent of the university's total budget, on what basis does the minister assume the right to control the business plans covering 100 percent of the university's expenditures?

Dr. Oberg: Well, Mr. Speaker, in Alberta we have a huge interest in our postsecondary education, not just on the operational side but also on the capital side. It's absolutely imperative that we know what the universities are doing, that we know the direction the colleges are taking, that we know the directions the technical institutes are heading in, in order for us to budget, in order for us to plan. The access fund is a perfectly good example of that, where we're able to say: this is where we want to go. Universities and colleges and technical schools then say, "Well, we want to go in this direction," and it becomes very much a combined effort.

Mr. Speaker, it's absolutely critical that the public of Alberta—the public of Alberta—have the knowledge of the business plans of the postsecondary institutions of Alberta. I find it very hard to believe that this hon. member would not want the public of Alberta to have the ability to see the business plans.

The Speaker: The hon. Member for Calgary-Shaw, followed by the hon. Member for Edmonton-Mill Woods.

Deerfoot Trail Extension

Mrs. Ady: Thank you, Mr. Speaker. For the last three years the constituency of Calgary-Shaw and the constituency of Highwood as well as the entire city of Calgary have been watching with some excitement and anxiety as the construction of the Deerfoot Trail extension has been proceeding. As you know, this is an important part of the north/south trade corridor, and it is very much hoped in my neighbourhoods that it will relieve some of the traffic congestion. My question is for the Minister of Transportation. I understand that the long-awaited Deerfoot Trail extension is going to open on Friday, and I was wondering if the minister could tell me if this large and important project has been able to stay on budget.

The Speaker: The hon. minister.

Mr. Stelmach: Thank you, Mr. Speaker. I'm extremely pleased to announce on behalf of our colleagues here in the Legislature and on behalf of all Albertans that, yes, we are going to officially open the extension of the Deerfoot Trail tomorrow.

This is a \$100 million project that has come to completion. It is a three-year project, and it's about a month off schedule, with outstanding results by our contractors, our consulting engineers, given all of the many people in the construction of that road. Not only will it improve the safety of the traveling, motoring public in that particular area and the surrounding communities, but, as the

hon. member mentioned, it is a critical improvement for our north/south trade corridor, and in the end it helps improve our competitiveness in the marketplace.

2:20

Mrs. Ady: Mr. Speaker, I only have one supplemental question. I have had the privilege of driving down this extension and was so impressed with the beauty of the valley that it goes between. As you know, it crosses the Bow River, and there are fish and wildlife habitats there. What did Alberta Transportation do to minimize the environmental impacts?

Mr. Stelmach: Mr. Speaker, on the environmental issue, we spent a considerable amount of time with the consulting engineers trying to mitigate all of the risks to the environment. The first thing done was to build a bridge, so to speak, for the wildlife to pass under the highway during the construction. We also had to put a fence along the highway to ensure that we didn't have any deer or coyotes wandering out onto the highway and into the construction. Most importantly, the Bow River Bridge was moved about 40 metres to the west because there was some critical fish habitat that we didn't want to risk any damage to. We took exceptional care to ensure that any drainage, any type of turbidity in the water was completely minimized or eliminated. As a result, this is a project that we can hold as applying to other projects in Alberta in terms of ensuring the protection of the environment.

Calgary Board of Education

Dr. Massey: The Minister of Learning announced with some pride that the Calgary board of education will have a balanced budget. What the minister failed to mention is that that board lost another 260 teachers, 127 support staff, and 25 custodial staff. My questions are to the Minister of Learning. How can the government continue to proudly announce budget surpluses while a major school board in this province was given no choice but to continue to cut teachers and to increase class sizes?

The Speaker: The hon. minister.

Dr. Oberg: Thank you very much, Mr. Speaker. The Calgary board of education came in right on budget this year. I believe it was .25 or .025 percent, so the surplus, quite obviously, is minimal. Part of the job of any elected trustee is to ensure that they are fiscally accountable. The school boards have another job, which is to ensure the delivery of educational services, and often the fine line that is between, that these large school boards have to walk, has to be managed each and every day.

Mr. Speaker, the nice thing about the Calgary board of education is that their results continue to be excellent. The students continue to do well. The students continue to learn well. Were there issues this year with teachers being let go, contracts not being renewed? Yeah, there were. The Calgary board of education had to make some very tough decisions, decisions that were not easy at all, but they did them in what they feel was probably the best way that they could, and I certainly applaud them for that. I applaud them for their difficult decisions, and I applaud them for coming in with a budget that is on-line.

The Speaker: The hon. member.

Dr. Massey: Thank you, Mr. Speaker. Again to the same minister: given that underfunded Calgary schools had to turn to school fees

and that a parent has calculated that the fees amount, effectively, to a 40 percent provincial tax rate for some families, will the minister do the right thing and offer the Calgary school board some financial relief?

Dr. Oberg: Well, Mr. Speaker, about a week and a half ago we gave all the boards in Alberta some financial relief to the tune of around \$90 million. Thirty million dollars of that was given in July of this year; another \$60 million was given now. So that's a considerable amount of financial relief for the boards of all of Alberta, not just Calgary. It's pretty hard to selectively pick one specific board when the money is given out to all boards in exactly the same fashion.

The Speaker: The hon. member.

Dr. Massey: Thank you, Mr. Speaker. Again to the same minister: has the minister considered offering the Calgary board of education some relief through a onetime expenditure from the province's surplus to help pay off their long-term debt?

Dr. Oberg: Mr. Speaker, this year in the long-term debt of the Calgary public board I believe they're down to about \$12 million or \$13 million or \$14 million. Their payments are actually ahead of schedule from what they were, and they have continued to make them.

Again, Mr. Speaker, I go back to the same point that I just made. Over the past 10 or 15 years all boards have received the same amount of dollars. Back in May of 1999 we did give all the boards a onetime payment of \$151 million, which was to eliminate all deficits. At that particular point in time, there was about \$25 million to \$30 million that was turned out that the Calgary board was paid. They continued to make those payments because [inaudible]

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

Postsecondary Education Funding

Dr. Pannu: Thank you, Mr. Speaker. Yesterday the government announced that it is on track to post yet another multibillion dollar budget surplus. The government can't seem to find enough mattresses to stuff this windfall into, yet universities, colleges, and technical institutes are announcing tuition increases next year ranging from 5 to 10 percent. My questions are to the Minister of Finance. Why does the government place a high priority on racking up multibillion dollar budget surpluses than it places on giving postsecondary students a break by freezing tuition fees?

Mrs. Nelson: Well, Mr. Speaker, part of the process that we've gone through was to put forward a fiscal plan that balances off the needs of Albertans but also recognizes that programs have to be sustainable, and in doing that, we recognize that if we ramp up programs in one year when we have banner oil and gas revenues, the next year we likely would have to hold back on some of the programs, which those guys would like us to do.

We're not going to do that. We've struck a balance where we recognize, I believe and our colleagues believe, the needs of the core programs of this government, but we've also said: let's put money aside for when we don't have those revenue bases so that those programs are preserved and protected. That's what's in the sustainability fund, and we were able this year to say that we're going to fully fund that protection for Albertans in the long term. Plus, we've said that we will put the balance of the dollars into

continuing to pay off our debt, which secures the future for our kids and our grandkids. Plus, we said that we will add dollars to our capital account. To me that's the right balance, and I hope that the hon. member will agree with that.

The Speaker: The hon. minister to supplement.

Dr. Oberg: Yes. Thank you, Mr. Speaker. The hon. member asked specifically about tuition fees. The institutions right now are working under the 30 percent cap that is existing at the moment. They have the ability to raise their tuitions approximately \$276 this year at most. I would just like to read something that the hon. member said at the debate on November 25: "Mr. Chairman, it's of absolute and critical importance that the independence of universities [is] maintained." Their independence in picking their tuition fees is exactly what is being maintained.

The Speaker: The hon. leader.

Dr. Pannu: Thank you, Mr. Speaker. My second question is again to the Minister of Finance. Given yet another corporate tax cut in this year's budget, why is the government imposing higher tuition fees on Alberta's young people, who pay for corporate tax handouts?

Mrs. Nelson: Mr. Speaker, creating the right framework for the long-term security of the province becomes critically important. The structure in this province is one that balances things off, and it's seen maybe not by this hon. member but by people from the province and from outside the province. When I go to a Finance ministers meeting and have another minister say, "Our young people are migrating to your province," they're coming here because there's opportunity, there's a future, and there's an opportunity for them to have their children have a long-term future. Why is that? Because we have an attractive package on the fiscal side which includes low taxes overall on the personal side but also on the corporate side, which means that there are jobs. There's a long-term economic future for these people coming to this province and for people that live here.

So striking that balance, again, becomes very important, and I can tell you that students coming out of the university are grateful that there are opportunities for two or three different types of positions for them to go into when they graduate from the universities and the colleges and the technical schools in the province of Alberta. They have the opportunity. That's not present anywhere else in Canada.

2:30

The Speaker: To supplement, hon. minister?

Dr. Oberg: Absolutely, Mr. Speaker. The hon. member made an insinuation that the government sets tuition fees. It is the government that limited the raises of tuition fees. In fact, the hon. member in the debate on Tuesday night said that

taxpayers also expect as democratic citizens their institutions such as universities to have the full freedom to express themselves on matters that the members of the universities . . . think are critical to the preservation, protection, and enhancement of public interest and common good.

That's exactly what the universities told us.

The Speaker: Okay. The hon. leader briefly and the response briefly. We've now spent six minutes on this exchange. This is question period, not debate period.

The hon. leader.

Dr. Pannu: Thank you, Mr. Speaker. With that kind of balance, one couldn't even ride a bicycle.

To the same minister: why doesn't this minister get her priorities straight, take the roughly 1 percent of the projected surplus that would be required to freeze tuition fees, and give postsecondary students a break?

Mrs. Nelson: Mr. Speaker, I believe that our government's priorities are straightened out, and this hon. member should maybe get onboard. We're concerned with the people of this province. We're concerned with our kids, we're concerned with our grandkids, and we want to leave them with something that they can afford to sustain and flourish on and be able to have a profitable future in this province. This person would destroy that.

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

Flu Shot Campaign

Mr. Maskell: Thank you, Mr. Speaker. I'm one of the many thousands of Albertans who's had a flu shot this fall. It's my understanding that Alberta, in fact, has had one of its most successful flu shot campaigns ever. I thought I was well protected until I heard media reports that a new strain of influenza known as A-Fujian has appeared worldwide. Media reports claim that the current vaccine holds little protection against this deadly new strain. My question is to the Minister of Health and Wellness. Minister, I guess I'm getting cynical in my old age or maybe a little nervous or worried, but I'm wondering: what is the point of Albertans getting their flu shots?

The Speaker: Please, hon. member. *Beauchesne* 408 says that questions should "not inquire whether statements made in [the press or] a newspaper are correct." I hope that's not the intent of the question.

Mr. Mar: Nor will it be the intent of the answer, Mr. Speaker.

The A-Fujian strain of flu is closely related to the A-Panama strain of flu, and the A-Panama strain is one of the three components of the current flu vaccine. The provincial health office implemented its 2003 influenza plan in October of this year. It strongly advises Albertans to get flu shots. Albertans should be aware of flu symptoms like fever, aches, chills, and they should limit contact with people when these symptoms are present.

Finally, Mr. Speaker, just last week the World Health Organization reported that the current flu vaccine does offer significant protection against influenza caused by the new A-Fujian strain.

The Speaker: The hon. member.

Mr. Maskell: Thank you, Mr. Speaker. My first supplemental is to the same minister. Seniors – that's the 65-plus group – children, and people with chronic health problems are extremely vulnerable. Is there anything that can be done to protect these citizens?

Mr. Mar: Well, seniors, health care workers, those living with chronic illness continue to be the major target groups for immunization against influenza. From last year's campaign, Mr. Speaker, roughly two out of every three seniors in this province got a flu shot. This flu season my department has enhanced the immunization program by offering vaccinations at no charge to anyone living with somebody who is at high risk.

We reached our goal of immunizing 90 percent of long-term care

residents. We surpassed our goal of 65 percent of workers in those facilities getting a flu shot. We certainly encourage all health care workers to get their annual flu vaccination to protect not only themselves but their families and the people that they look after.

The Speaker: The hon. member.

Mr. Maskell: Thank you, Mr. Speaker. My second supplemental is to the same minister. Is this strain of flu the precursor to a pandemic illness?

Mr. Mar: Mr. Speaker, this current flu is not considered to be a pandemic illness. The World Health Organization has identified this strain of flu as being a minor genetic shift of the virus. I can tell you that within the last two weeks A-Fujian has been found here in Alberta. As of November 15 we identified 654 cases of influenza, and only 15 of those cases have been the A-Fujian influenza strain.

Mr. Speaker, of course, many people will be aware and will recall that earlier this week the province launched its pandemic influenza plan. The goals of this plan are to reduce the incidence of serious illness and death and to try and reduce the disruption to communities and to try and slow down the spread of such an influenza pandemic when it arrives.

The Speaker: The hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Beverly-Clareview.

Street Divergence Program

Ms Blakeman: Thank you, Mr. Speaker. In the 2002 budget debates the Solicitor General outlined her strategy for the street divergence program, which diverts mentally ill people into appropriate programs and away from the criminal justice system. Six months ago the minister of health talked about the excellent diversion project in Calgary. At the time, he indicated that funding was only secure until March of 2004. My question is to the Solicitor General. Has the minister decided which ministry will keep this program running?

Mrs. Forsyth: Well, Mr. Speaker, I appreciate the question. This is a program that is clearly run by the minister of health, and if I may, it's been a very, very successful program. We've been pleased with what's happened. We believe that the mentally ill should not be allowed to enter the corrections facilities, and we're pleased with the program.

The Speaker: The hon. member.

Ms Blakeman: Thank you. Then I will direct the next question to the Minister of Health and Wellness. Is there a timetable for introducing this same program into other centres in Alberta?

Mr. Mar: Not at this time, Mr. Speaker.

Ms Blakeman: Why not?

Mr. Mar: Well, Mr. Speaker, we haven't completed our evaluation of the current program.

The Speaker: The hon. Member for Edmonton-Beverly-Clareview, followed by the hon. Member for Grande Prairie-Smoky.

Grandparents' Access to Grandchildren

Mr. Yankowsky: Thank you, Mr. Speaker. My questions are all to

the Minister of Justice. Respondents to the Alberta law reform stakeholders report indicated that grandchildren should have the right to have a relationship with their grandparents. Can the minister tell this Assembly: why don't grandchildren have this right whether they are from a one-parent or two-parent family unit?

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

Mr. Hancock: Well, thank you, Mr. Speaker. Actually, we don't set out the rights of grandparents, but I do remember dealing with changes to the Provincial Court Act. It was actually brought forward under a private member's bill by the Member for Calgary-Fish Creek, now the Solicitor General, some years ago, which provided for grandparents' ability to apply to the court for access to grandchildren when that was being denied by their parents.

We did a review of family law. In fact, the bill on family law is going to be before the House today, so I won't speak directly to that. But in the course of that consultation, of course, it became clear that some Albertans wanted greater access by grandparents and, perhaps, a presumption of grandparents' right of access. Others believed that parents should be in the position to make the decision. Albertans recognize that grandparents play a very important role in the lives of grandchildren, and the Provincial Court Act, by providing that right of access, which is going to be brought forward into Bill 45, will recognize that.

Albertans, however, also recognize the need for guardians, who are usually parents, to protect and guide children and for the right of parents to make decisions in the best interests of their children. We have heard from many parents who say that there's a financial and emotional cost to contested applications by grandparents, particularly when in many cases the courts will also reject the grandparents' application. So we have to strike a balance, Mr. Speaker, so that we do not prevent grandparents from applying for access, because each individual case has got to be determined within the best interests of the child.

The law as it stands now and the law as it will hopefully be is that parents should make the decision with respect to the children. Grandparents, if they cannot resolve issues within the family, would have the right of access to the courts to have the courts make a determination about what's in the best interests of the child.

2:40

Mr. Yankowsky: Mr. Speaker, again to the minister. Respondents to the same consultation indicated that when parents deny grandparents access to grandchildren, they should be required to provide valid reasons for denying access. Why are parents not required to provide valid reasons for denying their child access to their grandparents, their larger family unit?

The Speaker: The hon. minister.

Mr. Hancock: Well, thank you, Mr. Speaker. Again, the member is absolutely right. Respondents to the law reform project did say that, but other respondents also said that applications in intact families cause disruptions and ignore the rights of parents to decide what's in the best interests of the children in their care. Clearly, we can't have it both ways. This is proof of the complexity of the issue and the fact that there are a number of aspects which have to be taken into account. We feel that we've struck the appropriate balance in what has been determined to be brought forward.

There is no presumption of contact between a child and a grandparent, but as I said before, when parents and grandparents can't agree, there needs to be a mechanism to resolve that dispute and to

resolve that dispute in the best interests of the child, and that is allowing the grandparents to apply for a contact order. But it is up to the grandparents to show the reasons why the contact is beneficial to the child and the reasons why the denial is unreasonable. The court then will take into account the significance of the relationship, if any, and the other aspects of concern which show that it's in the best interests of the child.

The Speaker: The hon. member.

Mr. Yankowsky: Thank you, Mr. Speaker. The minister referred to the high emotional and financial costs of these disputes. Can the minister advise what steps his department has taken to address the cost of applications for grandparent access or other family law matters?

Mr. Hancock: Well, Mr. Speaker, of course, in almost all family law matters that go to court, the financial and emotional costs are far too high, and that's why we work very hard to try and encourage collaborative law processes, to try and encourage processes which involve precourt processes in terms of family counseling and family mediation. We've developed a series of family law books that help people who choose to make applications without a lawyer. They're available at the family law information centres in Edmonton and Calgary.

Our department boosts a number of important projects to help people work collaboratively towards resolving disputes on their own: as I mentioned, programs of mediation, courts are participating with judicial dispute resolution, and of course there's the very successful parenting after separation program, all of which are designed to reduce conflict, help parties refocus their energy on the children, and deal with the primary aspect, which, I can't say often enough, is what's in the best interests of the child.

head: **Members' Statements**

The Speaker: Hon. members, in 30 seconds I'll call upon the first member to participate in Members' Statements.

The hon. Member for Grande Prairie-Smoky.

Natural Track Luge Races

Mr. Knight: Thank you, Mr. Speaker. Races down the Smoky River hill near DeBolt, Alberta, in January are designed to put the sport of natural track luge on the path to the 2010 Olympics. Grande Prairie is reaping the rewards of Canada's successful Winter Olympics bid by getting to host the first-ever Canadian World Cup natural track luge races January 2 to 4, 2004. It's the first of many races to be held in Canada during the next several years, all with an eye to getting the sport into the Olympics. With DeBolt having the nation's only sanctioned track to date, it will likely play host to future World Cup races.

The decision came after Vancouver/Whistler was named as host for the 2010 Winter Olympics. It's part of a long-range plan to get the sport's international federation to have the sport in the Winter Olympics. Grande Prairie will get international exposure as the races are broadcast in central Europe, where the sport draws bigger television audiences than downhill skiing and is second only to soccer.

Again, Mr. Speaker, Alberta is a leader in Canada, and Grande Prairie is a leader in Alberta.

Thank you.

The Speaker: The hon. Member for Bonnyville-Cold Lake.

Bonnyville White Ribbon Campaign

Mr. Ducharme: Thank you, Mr. Speaker. Today I rise to recognize the Bonnyville White Ribbon campaign. The Bonnyville White Ribbon campaign has the distinction, along with the cities of Toronto and Sarnia, Ontario, of having the longest-running campaign addressing the issue of men's violence against women. November 25 through December 6 marks White Ribbon Week. During this week, men of goodwill wear white ribbons to symbolize their pledge to neither commit, condone, nor remain silent about men's violence against women in our society.

Many people who talk about violence against women cite statistics that show an incredible number of men victimizing far too many women, but one fact about this form of violence stands out more than any other: 76 percent of the victims are assaulted by someone they know. It would be too easy to say that women need to be protected from the stranger lurking in the shadows. Some people believe that arming women with a whistle or signing them up in a self-defence class could reduce the victimization of women, but it isn't that simple. Husbands, boyfriends, acquaintances, and co-workers are committing these horrible acts, not just the stranger on the street. We hope that these men will one day take a long look in the mirror and see what they have become. Maybe they would change after realizing the effects of their horrible behaviour.

If we saw signs that these problems could be solved without our help, then we wouldn't need the White Ribbon campaign. Wearing these ribbons is a way for everyone, especially men, to show their anger toward violence against women.

Everyone has a mother, and most of us have a wife, a sister, or a daughter. What would happen if they had been raped, beaten, or murdered? Stop and think about the anger and the hopelessness that would stay with you for years if not forever. Imagine the feeling of shame and terror felt by the victim. You must also remember that you would most likely have met the man who committed the offence.

There is no denying that violence against women is a horrible problem with few easy solutions, but there is no doubt that the first step is awareness. I encourage all members to wear a white ribbon and recognize the horror that thousands of women in Alberta must endure.

In closing, I wish to commend the local organizers for undertaking the White Ribbon campaign to raise awareness of and to counteract domestic violence in the Bonnyville-Cold Lake constituency.

Thank you, Mr. Speaker.

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

Adequacy Funding for Education

Dr. Massey: Thank you, Mr. Speaker. The report of the Learning Commission has given new urgency for the need to provide a school funding formula that focuses less on equity and more on adequacy. Simply put, adequacy funding provides the dollars needed to ensure that all children perform at a high level. We need a shift in financing from thinking about the number of dollars being put into the system to the number of dollars needed to ensure that students meet specific objectives, a shift from inputs to outcomes.

In Alberta adequacy has been defined as the number of dollars that the government deems available. The dollars decided upon have little to do with students and much to do with politics. These political decisions to cut school funding or increase funding in no way are decisions based on the dollars needed to make possible predetermined student achievement.

The Learning Commission has provided a useful start in helping

us shift our thinking and helping us begin to understand how much money should be allocated to our schools. Recommendations 5 through 9 begin the work of defining outcomes. We have been given a starting list of intellectual, personal, and value expectations for specific grades and for high school graduates. Fleshing out that list and assigning the dollars needed to make attainment possible is the heart of adequacy funding.

A focus on adequacy will involve a major change in the way schools operate. We will need better systems for diagnosing and tracking the progress of individual students. We will need different organizations that will allow students who complete a course quickly to move on to the next level without waiting for the start of a new term. We will need a broader range of assessment practices than are now in use.

The commission has provided valuable direction for learning in Alberta. However, the promise of the commission will be lost if the province fails to change the current approach to funding and provide adequate funds to make the recommendations a reality.

Thank you.

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

Alberta Seniors

Dr. Pannu: Thank you very much, Mr. Speaker. The Alberta government is responsible for supporting the well-being and independence of Alberta seniors. It says that its programs and services are designed to help those in-need seniors live healthier lives and more independent lives, preferably living in their own homes and their own communities.

2:50

However, since 1993 the Tory government's words have been contradicted by its actions many times over by making changes to programs that result in seniors paying more for necessities. The following puts a lie to the long-cherished belief that with hard work and perseverance anyone can afford a secure retirement. Here is that list: loss of dental care and eye care coverage, rental increases for seniors' accommodations, deregulation of utilities leading to intolerably high utility bills for seniors, an increase in the co-payment for prescriptions drugs, and the elimination of health care premium exemptions.

In some cases programs have been eliminated entirely. In other cases, means testing has been introduced. Perhaps the unkindest cut of all took place this summer, that being the unilateral decision with barely a month's notice to hike the accommodation rates in long-term care facilities between 40 and 48 percent.

The Coalition of Seniors Advocates, COSA, has noted that Alberta seniors have been economically brutalized by the so-called Alberta advantage, that has taken away many essential services and benefits that seniors enjoyed prior to 1997, and that these service cuts have caused unbearable hardship for many seniors. The Alberta Council on Aging, who are overwhelmed working for and helping seniors, believe that we should all be recognizing seniors' contributions, not devaluing them.

There is a quip that goes something like this, Mr. Speaker: it gets harder and harder to make ends meet, especially if someone keeps moving the ends. The Tory government needs to stop moving the ends farther apart and stop its attack on the retirement savings of the province's seniors.

Thank you.

head: **Presenting Petitions**

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

Dr. Pannu: Thank you, Mr. Speaker. I have a petition here. I'm presenting this petition on long-term care signed by 570 Albertans from Edmonton, Bashaw, Bon Accord, Camrose, Hardisty, Killam, Sedgewick, Tofield, Viking, and other areas of Alberta. They're petitioning the Legislative Assembly to urge the government of Alberta to

recognize and value the contributions and sacrifices the seniors have made in building the Province of Alberta, and treat them with due respect and dignity by reversing those policies that cause unnecessary financial hardship for them and undermine their quality of life.

Thank you, Mr. Speaker.

Mr. Mason: Mr. Speaker, I'm presenting a petition on long-term care signed by 441 Albertans petitioning the Legislative Assembly to urge the government of Alberta to

recognize and value the contributions and sacrifices the seniors have made in building the Province of Alberta, and treat them with due respect and dignity by reversing those policies that cause unnecessary financial hardships for them and undermine their quality of life.

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

Dr. Massey: Thank you, Mr. Speaker. I have three petitions this afternoon. The first is primarily from citizens in Calgary, and these 353 citizens urge the government to "acknowledge its responsibility in maintaining public education with public funds by increasing the per pupil grant."

The second petition is from 432 Albertans urging the government to

acknowledge that the maintenance and construction costs of schools, hospitals and roads are part of the provincial debt and to consider splitting the budget surplus between monetary debt and infrastructure debt.

The third petition is from 340 Albertans expressing their concern and asking the government to resolve the crisis in education by addressing the lack of teaching staff and large class sizes and the elimination of many programs including special academic programs and urging the government to increase funding for public education.

Thank you, Mr. Speaker.

head: **Notices of Motions**

The Speaker: The hon. Deputy Government House Leader.

Mr. Stevens: Thank you, Mr. Speaker. I rise pursuant to Standing Order 34(2)(a) to give notice that on Monday we will move that written questions appearing on the Order Paper do stand and retain their places.

I'm also giving notice that on Monday we will move that motions for returns appearing on the Order Paper do stand and retain their places.

head: **Tabling Returns and Reports**

The Speaker: The hon. Minister of Municipal Affairs.

Mr. Boutilier: Thank you, Mr. Speaker. I'm pleased to table with the Assembly today five copies of each of the annual reports for Municipal Affairs' delegated administration organizations. The organizations are the Alberta Boilers Safety Association, the Alberta Elevating Devices and Amusement Rides Safety Association, the

Petroleum Tank Management Association of Alberta, and since the Alberta Propane Vehicle Administration Organization ceased on June 1, '03, I'm tabling their 2002 annual report.

I'm also tabling an activity summary from our authorized accredited agencies, Mr. Speaker.

Mr. Doerksen: Mr. Speaker, I'm taking this opportunity to table five copies of the Alberta Heritage Foundation for Medical Research 2004 calendar along with 2002-2003 financial highlights, and the consolidated audited financial statement for 2002-2003. A copy of this document had been previously sent to all members of the Legislature directly from the Alberta Heritage Foundation for Medical Research.

The Speaker: The hon. Minister of the Environment.

Dr. Taylor: Thank you, Mr. Speaker. I rise to table five copies of the Water for Life: Alberta's Strategy for Sustainability, that I commented on earlier.

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

Dr. Massey: Thank you, Mr. Speaker. With your permission I would table on behalf of the Leader of the Official Opposition, the Member for Lethbridge-East, copies of literally hundreds of e-mails and letters that the member has received from people here in Alberta and around the world objecting to the consideration of the development of the Milk River dam, indicating that many studies have already been done on this, and all have suggested that a dam would be detrimental to the environment.

My second tabling, Mr. Speaker, is five copies of a letter to me from Laurie Reid objecting to the proposals that are being put forward by the employer in the current health care negotiations, indicating that they could be very devastating with respect to the delivery of health care in the province.

And then I have letters from Rose Badura, Betty Patterson, Stella Callender, Antje Toner objecting to the proposals being put forward in the nurses' negotiations and details [inaudible] putting the proposals on the table would put on health care system.

Thank you.

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

Mr. MacDonald: Mr. Speaker, thank you. I have two tablings this afternoon. The first is an electricity rate chart that has been created by [inaudible] of Edson, who documents an overall increase in the cost of electricity and natural gas from April 2000 to June 2003.

The second tabling is a letter and enclosed article from Pam Head, a resident of Edmonton, who wants it on public record that she is totally against the idea of deregulating utilities. She states this in regards to the Premier: the Premier "needs to regulate the utilities remembering they are a necessity . . ."

The Speaker: Hon. member, the tradition is to table the document, not to read it.

Mr. MacDonald: My third tablings are letters addressed to the hon. Minister of Human Resources and Employment, from Lethbridge-West, from L. Watt, who expresses concern about negotiations between PHAA and UNA.

Thank you, Mr. Speaker.

3:00

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

Mr. Mason: Thank you very much, Mr. Speaker. On behalf of the hon. Member for Edmonton-Strathcona I am tabling a background brief prepared by Bev McKay and other prominent Albertans requesting the Auditor General of Alberta to conduct an audit of long-term care facilities in Alberta.

I'm also tabling copies of Mr. Kenneth Dombrowsky's correspondence with respect to his WCB appeal. Mr. Dombrowsky was injured 22 years ago and has been fighting appeals since that time, and I'm pleased to table the requisite number of copies of that tabling.

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

Ms Blakeman: Thank you very much, Mr. Speaker. I'd like to table letters from Cari Smith, Gwyneth Foster-Newell, I Lut Lo, and Janick Hebert, who are all constituents and all nurses writing about their concern for the lack of negotiations between nurses and the RHAs.

I'd also like to table some of the letters I referred to in debate the other day regarding insurance. The first is from Tim Peterson, directed to me with concerns about claims versus insurance and penalties for lapsed insurance; also, the individual I referred to as the Eagle Talon, who's actually named Janice MacNeil, concerned about her son and the amount that he was having to pay for insurance for a used car; the individual I referred to as Mr. Mazda and his concerns around the \$4,000 cap on soft tissue injuries; also, a letter addressed to me from Bennett Moore, concerned about Bill 53 and what the government is proposing for auto insurance; and, finally, directed towards me from Jeff Fixen asking me to vote against the insurance industry's proposal on soft tissue injuries.

Thank you very much, Mr. Speaker.

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

Dr. Taft: Thank you, Mr. Speaker. My tablings today are all done with permission and, in fact, at the request of the writers. They are letters from Ross and Yelena Pambrun, Donna Maxwell, and Angela Krizan, copied to me and addressed to the Member for Calgary-Bow, expressing concern over the nurses' negotiations.

The second tabling is a letter from Susan Kean, copied to me and originally addressed to the Member for Fort McMurray, also expressing concern over these negotiations.

Thank you.

The Speaker: The hon. Member for Edmonton-Glengarry.

Mr. Bonner: Yes. With your permission I have two tablings today, Mr. Speaker. The first is 45 signatures from residents of the Hastings Lake area who are worried about the proposed Tempest gas wells, which have recently been approved by the Energy and Utilities Board without public consultation, and that they may affect both the quality and quantity of potable water. They want the wells tested before and after drilling by an independent, unbiased . . .

The Speaker: Hon. member, the intent is to table, not read.

Mr. Bonner: My second tabling is a decision by the Supreme Court of Canada on an application for leave to appeal. The appeal by the Workers' Compensation Board was dismissed with costs to allow the

respondent, Thomas Shuchuk, to advance a claim against the WCB based on the tort of abuse of public office.

The Speaker: Others?

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: Alberta Dental Hygienists Association 2002 annual report, Alberta Dental Assistants Association 2002 annual report, Alberta College of Medical Laboratory Technologists annual report 2002, Alberta College of Speech-Language Pathologists and Audiologists 2002 annual report, College of Dietitians of Alberta annual report 2002-2003, Alberta Association of Registered Nurses annual report 2001-2002, Alberta College of Pharmacists annual report 2002-2003, Alberta College of Social Workers annual report 2002, Alberta Association of Registered Occupational Therapists annual report 2002-2003, and College of Alberta Psychologists annual report 2002-2003.

By the hon. Mr. Stevens, Minister of Gaming, a memorandum dated July 22, 2003, from Norman C. Peterson, chairman and chief executive officer of the Alberta Gaming and Liquor Commission, to the hon. Mr. Stevens, Minister of Gaming, regarding the Edmonton Northlands violation; Alberta Gaming and Liquor Commission 2002-2003 annual report; and Horse Racing Alberta 2002 annual review.

head: **Projected Government Business**

The Speaker: The hon. Official Opposition House Leader.

Dr. Taft: Thank you. On her behalf, Mr. Speaker, at this time I would ask the government to share with us the projected government business for next week.

The Speaker: The hon. Deputy Government House Leader.

Mr. Stevens: Thanks, Mr. Speaker. I'm very pleased to rise this afternoon to share the projected government business for the week of December 1 to December 4, 2003. On Monday, December 1, commencing at 9 p.m. will be government motions 27 and 28 followed by Committee of the Whole on Bill 54, Appropriation (Supplementary Supply) Act, 2003 (No. 2); Bill 44, Personal Information Protection Act; Bill 50, Wildlife Amendment Act, 2003; Bill 51, Natural Resources Conservation Board Amendment Act, 2003; and as per the Order Paper.

On Tuesday, December 2, commencing in the afternoon there will be third reading on Bill 54, Appropriation (Supplementary Supply) Act, 2003 (No. 2); then Committee of the Whole on Bill 53, Insurance Amendment Act, 2003 (No. 2); second reading on Bill 52, Health Professions Amendment Act, 2003, and Bill 46, Municipal Government Amendment Act, 2003. Then third reading of Bill 49, Public Lands Amendment Act, 2003; Bill 47, Tobacco Tax Amendment Act, 2003 (No. 2); Bill 45, Family Law Act; Bill 53, Insurance Amendment Act, 2003 (No. 2); and as per the Order Paper.

On Tuesday, December 2, in the evening Committee of the Whole on Bill 53, Insurance Amendment Act, 2003 (No. 2); third reading of Bill 54, Appropriation (Supplementary Supply) Act, 2003 (No. 2), and Bill 49, Public Lands Amendment Act, 2003, and Bill 47, Tobacco Tax Amendment Act, 2003 (No. 2), and Bill 45, Family Law Act, and Bill 53, Insurance Amendment Act, 2003 (No. 2); and as per the Order Paper.

On Wednesday, December 3, in the afternoon will be second reading on Bill 52, Health Professions Amendment Act, 2003, and Bill 46, Municipal Government Amendment Act; third reading of Bill 43, Post-secondary Learning Act, and Bill 44, Personal Information Protection Act; and as per the Order Paper.

That evening Committee of the Whole on Bill 38, Workers' Compensation Amendment Act, 2003; Bill 52, Health Professions Amendment Act, 2003; Bill 46, Municipal Government Amendment Act, 2003; and Bill 48, Alberta Heritage Foundation for Science and Engineering Research Amendment Act, 2003. Third readings will be on Bill 38, Workers' Compensation Amendment Act, 2003, and Bill 52, Health Professions Amendment Act, 2003, and Bill 46, Municipal Government Amendment Act, 2003, and Bill 48, Alberta Heritage Foundation for Science and Engineering Research Amendment Act, 2003, and Bill 44, Personal Information Protection Act; and as per the Order Paper.

On Thursday, December 4, in the afternoon Committee of the Whole and third reading on Bill 53, Insurance Amendment Act, 2003 (No. 2), and as per the Order Paper.

head: **Orders of the Day**

head: **Government Bills and Orders**

head: **Second Reading**

Bill 54
Appropriation (Supplementary
Supply) Act, 2003 (No. 2)

The Speaker: The hon. Minister of Finance.

Mrs. Nelson: Thank you very much, Mr. Speaker. I am delighted to be able to stand today and move second reading of Bill 54, the Appropriation (Supplementary Supply) Act, 2003 (No. 2).

Mr. Speaker, yesterday I was able to bring forward the second quarter in the supplementary estimates, and clearly we are in a position in this province to deal with some of the pressure points. A lot of them, in fact the majority, are a result of disasters and emergency situations that have occurred within our province, and this government clearly responded to those disaster requirements and needs I believe faster and with more earnest than any other province in this country.

I know that there was dialogue last night on supplementary estimates, and I'm sure that all members and colleagues were proud of the way that, in particular, the ministries with the disasters were able to move quickly and with a clear direction to help alleviate some of the pain from the disasters that occurred in the province, conditions, Mr. Speaker, that we were also seeing focus on some priority areas that clearly were necessary to deal with some issues that had arisen through the year. This particular bill reflects those positions, and I am pleased to move second reading.

At this point, though, I'd like to adjourn debate, Mr. Speaker.

[Motion to adjourn debate carried]

3:10

Bill 52
Health Professions Amendment Act, 2003

The Speaker: The hon. Minister of Health and Wellness.

Mr. Mar: Thank you, Mr. Speaker. I am pleased to move for second reading Bill 52, the Health Professions Amendment Act, 2003.

Mr. Speaker, as we move forward with health reform, we need to

support health professionals in providing safe and effective health services. We've already done much to make the health care system more efficient and responsive to patient needs. In Alberta an electronic health record system has been built to give health providers secure electronic access to current health information when providing patient care. This leading technology, the first of its kind in Canada, gives physicians and other health care providers correct information about a patient's prescriptions, allergies, and test results. Providers will have appropriate access to patient information no matter where the patient lives or where they receive care.

Physicians and pharmacists have already reported that the electronic health record system is an effective tool in making decisions about patient care. The system aims to prevent drug prescription errors and avoid having patients undergo unnecessary diagnostic tests. Physicians say that immediate computer access to patient information and clinical guidelines are helping them to make better decisions about patient care.

Mr. Speaker, the electronic health record system also depends on the ability to collect and share accurate and appropriate information about health professionals who provide care. Bill 52, the Health Professions Amendment Act, will allow for the development of a health provider directory, which is a database of all regulated health professionals in the province of Alberta. Bill 52 will give regulatory colleges the authority to collect and share information on all individual health professionals who will need to access electronic health record information to provide patient care.

The Health Professions Act was passed in 1999 to regulate all 30 health professions in the province. This legislation requires all regulatory colleges to follow common rules, to investigate complaints and set educational and practice standards for registered members. Bill 52 will expand the information that can be collected and shared about health professionals while protecting their privacy. This bill will require all professional colleges to collect standard information on all of their regulated members.

This data is essential to the function of not only our electronic health record system but will also ensure that Alberta can provide standard data to national initiatives such as the development of a pan-Canadian electronic health record system. The new system will allow for interprovincial communications on patient referrals, telehealth, and research.

Bill 52 will also authorize the use of anonymous and aggregate health provider information to help Alberta monitor and plan for health workforce needs. Professional colleges are asked for changes in how they define themselves and their regulated members.

New professional schedules under Bill 52 will provide new college names and new professional titles to reflect current scopes of practice. The practice statements for some colleges have been amended to better reflect the range of services regulated practitioners provide.

Mr. Speaker, Bill 52 will assist professional colleges and their regulated members to provide safe and effective patient care. Regulatory colleges and health authorities recognize and support the need for these changes to improve patient access and care. Bill 52 is an essential step in being responsive to the needs of Albertans and to the needs of health care providers. This bill advances our progress in health reform and helps us build a better public health care system.

Again, Mr. Speaker, I'm pleased to move Bill 52 at second reading, and at this time I wish to adjourn debate on Bill 52.

[Motion to adjourn debate carried]

Bill 46**Municipal Government Amendment Act, 2003**

The Speaker: The hon. minister.

Mr. Boutilier: Thank you, Mr. Speaker. The Municipal Government Act provides the framework for governance in the administration of 357 municipal authorities and therefore affects the vast majority of over 3 million Albertans. This government acknowledges the key role of the Municipal Government Act, and it's firmly committed to ensuring the act's continued viability and relevance.

After consulting with stakeholders, the government has concluded that additional amendments are appropriate in strengthening the Municipal Government Act. Stakeholders such as the Urban Municipalities Association and the Association of Municipal Districts and Counties along with many other stakeholders were consulted.

The purpose of Bill 46, the Municipal Government Amendment Act, 2003, is to improve the act by doing the following: first, it will provide enabling legislation to allow municipalities to collect an off-site road levy as a condition of subdivision or development, and second, it will enhance the liability protection for municipal boxing and wrestling commissions.

In addition, amendments are proposed to change the effective date of provisions in Bill 23, the Municipal Government Amendment Act, 2002, regarding the revised equalized assessment reporting system.

Mr. Speaker, let me begin with those amendments that apply to off-site road levies. Municipalities experiencing rapid growth have requested through the Minister's Provincial/Municipal Council on Roles, Responsibilities and Resources in the 21st Century an amendment to help offset some of the transportation costs related to new growth. The council is the first of its kind in Canada. Members from this Assembly, including Whitecourt-St. Anne, Edmonton-Rutherford and Calgary-Mountain View, join me. Also sitting on the council of stakeholders are the AUMA president, the AAMD and C president, the mayors of Edmonton and Calgary, and also a representative from Alberta Economic Development Authority.

A recent court decision in the MD of Rocky View challenging the validity of a municipality to collect an off-site road levy resulted in a ruling that sufficient authority for this did not exist in the act, one of the purposes of our amendments today. Provision is therefore proposed to confirm the authority of the municipalities to collect an off-site levy as a condition of subdivision or development to help offset some of the transportation and lading costs that come with new growth.

An example of where this would have benefited a municipality is the massive Simons Valley subdivision in Calgary. With a projected population of 50,000 people the development was put on hold by Calgary council last December due to a shortage of infrastructure funds for roadway construction. An agreement with developers to help pay for the roadways was not settled until the following spring.

Now, to ensure that the process is accountable, transparent, and subject to public scrutiny, provisions will also be added to the act to require off-site levy bylaws to be subject to advertising provisions in the Municipal Government Act and to require separate accounting procedures for all off-site levy bylaws, ensuring their accountability. To provide a stronger policy framework for setting off-site road levies, a new regulation-making authority of the Lieutenant Governor in Council will be included to establish principles and criteria that apply to municipalities in setting these levies. This will be in addition to the existing power in the MGA to set the maximum amount that a municipality may establish or impose as an off-site levy.

In the past there have been challenges made to the right of the municipality to charge off-site levies as a part of the development agreement. To address this particular issue raised by our stakeholders and any other potential challenges, a clause is proposed to ensure that those development agreements entered into prior to the coming into force of the proposed off-site road levy provisions are deemed to have been in force as though the off-site levy was authorized in the act.

Mr. Speaker, finally, the second set of proposed amendments would give municipal boxing and wrestling commissions immunity from any liability arising from all combative sports regulated by the commission and cover referees, judges, employees, and other officials in the performance of their duties in good faith. This request was raised by the city of Edmonton on behalf of the Edmonton Boxing and Wrestling Commission and also received verbal support from the city of Calgary on behalf of the Calgary Boxing and Wrestling Commission.

Therefore, it is proposed that section 535.1(1) be amended to include the following combative sports: full-contact karate, kick-boxing, and all other sports that hold contests between opponents including striking with feet, hands, knees, or elbows. Question period is not part of this coverage.

It is also proposed that section 535.1(2) be amended to protect officials, commissioners, referees, judges, and timekeepers from liability for anything said, done, or omitted to be done in good faith.

Finally, the proposed liability protection will be very similar to that provided to councillors, municipal officers, and volunteer workers of a municipality.

3:20

Let me conclude, Mr. Speaker, by saying that sections 10, 11, 13, 16, 17, and 20 of Bill 23, the MGA Act of 2002, are to come into force January 1, 2004. These sections pertain to the preparation of municipal equalized assessments, and the effective date is causing concern for some municipalities. I've heard their concern and am very pleased today to say that the amendments – municipalities and their service providers may require additional time to complete those required changes to their systems to comply with the revised equalized assessment and reporting system that was provided in Bill 23. Therefore, it is proposed that sections 10, 11, 13, 16, 17, 20 of Bill 23 be amended to come into force on proclamation rather than on January 1, 2004.

It is further proposed that in section 13 of Bill 23 the wording of section 321.1(2) be amended from January 1, 2004, to "by the date this section comes into force."

Mr. Speaker, in closing, this bill addresses the needs of Albertans and will maintain the Municipal Government Act as a model piece of legislation of every similar kind of any place in Canada.

With that, Mr. Speaker, I'm very proud to say that these are good amendments, and I would at this time like to adjourn debate.

[Motion to adjourn debate carried]

head: **Government Bills and Orders**

head: **Committee of the Whole**

[Mr. Shariff in the chair]

The Deputy Chair: Hon. members, we'll call the committee to order.

Bill 45
Family Law Act

The Deputy Chair: Are there any comments, questions, or amendments? The committee will deal with amendment A1. Are there any

questions or comments to be offered with respect to this bill? The hon. member for Calgary-Lougheed.

Ms Graham: Thank you, Mr. Chairman. Further to the package of amendments that was introduced and marked, I would like to advise you that following consultation with the opposition, it has been agreed that the amendments to Bill 45 which are currently on the floor be split up in the following way to accommodate specific discussion, voting, and subamendments.

First, we would ask that the main amendment that we have proposed will remain amendment A1, that section B will be broken out to become A2, section G will be broken out to become A3, section J will be broken out to become A4, section EE be broken out to become A5, and finally, Mr. Chairman, section A be broken out to become A6.

The Deputy Chair: Okay. I presume that there is an agreement on that.

Ms Blakeman: Yes. Thank you very much, and I appreciate the cooperation of the sponsoring member and the House leaders in coming to this arrangement.

The Deputy Chair: Very well. We shall do accordingly.

Ms Graham: I'll continue, then, Mr. Chairman. As I mentioned in my remarks on second reading, since the introduction of Bill 45 last spring there has been additional consultation on the contents of the bill over the summer and into the early fall, and government has accepted many of the suggestions received over this period for the purpose of improving and strengthening the content of the bill.

Mr. Chairman, there are some 65 amendments in our package of amendments, and although it may seem that this is a high number of revisions, I would like to say that this has really been the first opportunity for those who will work with this bill to actually view it. So these changes reflect the scrutiny which has been brought to bear by the individuals and organizations with expertise about it and who will be working with it.

You will see, Mr. Chairman, that the majority of the amendments are drafting changes which improve clarity. There are certain policy changes which extend from those of minor significance to those of, I'll call, ordinary significance. We feel that there are really only three policy changes that are of major significance, and I will identify those for members as I give the description of them later on.

Just to sum up, then, the amendments really fine-tune the provisions of the bill such that there will be less opportunity for interpretation, I guess I could say, for greater clarification of intent, for wording that better harmonizes with the federal Divorce Act, and to remove some sections that were, in retrospect, thought to be not necessary.

Mr. Chairman, I would also like to state that I believe and I think members would agree that there is a higher than usual need for clarity in this bill as it will be used very heavily day in and day out by judges, clerks, lawyers, self-represented litigants, and others working within the family law system. So it's very important that the bill be clear and easy to follow, and I think that the amendments that we are proposing respond to this need.

It will be my intent, Mr. Chairman, in the time remaining to summarize the amendments for members. I have grouped these amendments together by general subject matter, and although it isn't my intent to go into each one of the 65 in detail, I will try to hit the high spots, so to speak.

Addressing, then, the amendments, Mr. Chairman, the first grouping I will call court jurisdiction and powers and alternative

dispute resolution. I would suggest that House amendment A, which defines "respondent" in a less adversarial way, as well as amendment C, which amends section 4 of the bill to add collaborative processes to mediation and other services which lawyers must bring to the attention of their clients to help parties resolve their differences, go to making the court processes simpler, more family friendly, and are certainly encouraging of the use of alternative dispute resolution mechanisms.

3:30

The next two House amendments, B and C. Amendment B revises section 3, the jurisdiction of our Court of Queen's Bench and our Provincial Court, both of which act in this area, but it sets out the jurisdiction of the respective courts specifically in the Family Law Act. Section 3.1 would then deal with procedures to apply when there are duplicate applications and for combining matters.

Mr. Chairman, originally the plan was – and the bill so reads – to designate the court by regulation; that is, what court would have responsibility for a lot of contingent applications. However, a question was raised about the legality of doing this; thus the amendment to designate the court in the statute. Amendment D is a reference to the elimination of the need for regulations to set out the court that would be required because we are designating the court. I hope that makes sense.

Next are a number of amendments to definitions and court powers which will reduce the adversarialism in the courts and increase the use of alternative dispute resolution. House amendments E, Z, X, KK, MM, QQ, RR, SS, and ZZ are amendments which clarify court powers in relation to the making or varying of orders or declarations.

Then, Mr. Chairman, House amendments TT, UU, WW, and XX add court powers to make stays and order costs and conditions in certain situations.

The next grouping relates to child support for children over the age of 18 and the procedures for determining child support, and the amendments here, Mr. Chairman, involve two of the major policy changes that we have identified. What the bill basically does is erase the differences between child support procedure for the children of married parents and those children of unmarried parents by harmonizing with the Divorce Act, by bringing in a definition for when child support is payable, and by bringing in the use of child support guidelines which exist in the Divorce Act.

So what you will see, Mr. Chairman, is the addition of support obligations for certain children over the age of 18 but not older than 22 years of age to balance the obligation of the child to support himself or herself with the Divorce Act obligation to pay support after age 18 and with the government policy that supports education. We will find these changes in House amendments BB, CC, KK(a)(iii), which amend section 47(b)(ii), defining how a child over the age of 18 would qualify for child support and also requiring the adult child to contribute to his or her own support.

The other major change, as I mentioned, is the inclusion of child support guidelines which really reflect the current reality that is happening in the courts, because our courts are applying them with great success. So House amendment EE would amend section 52 to add child support guidelines and set the rules for when these guidelines may and may not be used.

Two additional amendments, I and DD, relate to powers on findings of parentage, and they make it clear that the court can make findings of parentage for child support and can order blood tests in aid of that.

The next subject matter of revisions deals with the removal of the person-in-need support provisions, which currently are part 3, division 3 of the bill. These re-enact the provisions of the Mainte-

nance Order Act and would impose a legal obligation on extended family members, including grandparents, parents, children, and grandchildren, to support family members who cannot support themselves because of disability or similar causes. Because these sections are rarely used by private citizens and never by government and are no longer consistent with government policy, which is to support the independence of disabled adults, it was determined that these provisions should be removed from the act. In fact, House amendment HH does do that. It strikes out all of part 3, division 3. This is the third major policy change which is contained in our amendments.

The next subject matter deals with the clarification of children's interests and their participation in matters affecting them. Mr. Chairman, the bill does encourage a focus on the child and on the child's unique situation and best interests, and it encourages the appropriate inclusion of the child in matters affecting him or her. We find changes consistent with this in House amendments F and J, which have to do with the notice of court procedures on children. These House amendments amend sections 10 and 16 to ensure that children who are under the age of 18 are properly notified of court proceedings affecting them. We've changed the age from 12 years and older to 16 years and older, at which point children would be notified of proceedings involving them. As well, it does still leave open the discretion of the court to give notice in other circumstances.

House amendment K addresses the best-interest criteria and amends section 17(2)(b)(iv) and (ix) and allows for the child's and guardian's views to be considered if appropriate in determining best interests. It also amends subsection (vi) of 17(2)(b) and 17(3) by improving the definition of family violence as it relates to children. It will include all household members as well as acts of sexual abuse and forced confinement, but it will exclude normal discipline as might be meted out in the household.

House amendments YY and ZZ affect sections 96 and 97 and redraft them to better aim at the protection of children by limiting publication of proceedings and, of course, enable the court to do this.

The next subject matter would be entitlement to contact with the child, and grandparents' access comes under this heading. An amendment has been made in response to the Alberta Grandparents Association submission, which gave input to all MLAs in this regard. House amendment Y would see a change to section 35(4)(a), which makes the test for obtaining leave to bring an application for contact with the child for grandparents and other nonparents to be less onerous in the case of intact families.

The next subject matter is under reproductive technology, and there are new changes in Bill 45 designed to help infertile individuals. House amendment G would see section 12, which addresses this, improved by using better wording in place of "artificial insemination," which is viewed as an outdated term and not descriptive of the process, to be replaced with the new and better wording of "assisted conception." It will also improve clarity about the ways that men, particularly those who have fertility problems, can be considered biological fathers through assisted conception. It also allows exceptions to be made in the regulations to the rule that anonymous sperm donors are not fathers.

3:40

The next grouping surrounds the entitlements and powers of guardians of children and trusteeship of children's estates. These provisions are found in part 2, division 1. Mr. Chairman, this is the first time in Alberta law that all the entitlements and responsibilities of guardians have been codified. Where there are disputes in relation to these powers, they are often difficult ones, so clear rules should help reduce conflict in this regard.

I can advise the members, as well, that procedures for obtaining a trusteeship order for children's estates have been adjusted after consultation with and in anticipation of the planned amendments to the Minors' Property Act. So the House amendments under this heading, Mr. Chairman, are found in House amendment L, which specifies the guardians' powers and affects section 20(2) and 20(5)(m.1), where there's a clarification of the guardians' entitlements and obligations to share information.

Under section 20(3) there's a clarification that there's no financial responsibility associated with guardianship.

Under section 20(5) there is a requirement that the child's maturity level, which is an evolving capacity, must be taken into account when they make their decisions.

Under section (20)(5)(b) and subsection (l) are further clarifications of the guardianship powers.

Under House amendment O there is a change to ensure that in making a guardianship order, there is never a gap in these guardianship orders, and it also removes an unnecessary leave to court application.

House amendments P, Q, R, and T speak to the trusteeship of the estate of the child and affect section 26 such that any eligible person can be a trustee, not just the guardian. As well, it affects section 28 such that the consent of the Public Trustee is not necessary as the Public Trustee will get notice of these applications in any event. It also affects section 30, which gives the power to the court to help the trustee, where the trustee can now apply for directions.

House amendment S will affect section 29, which clarifies the court's power to review a guardian's decisions.

The next subject matter is parenting orders found in part 2, division 2, and involve House amendments U and V, which clarify the definition of parenting time and moves this to a better location in section 32 and also affects section 32(3), which is removed because it would likely cause some conflict. It had been included for the purposes of the Hague convention but is now being withdrawn.

The next subject matter is enforcement of time with the child, which is found in part 2, division 4, and is . . . [Ms Graham's speaking time expired]

Chair's Ruling Decorum

The Deputy Chair: Hon. members, given that we do have some sound problems, it's very important for *Hansard* to be able to pick up the speaker's remarks. I would request everyone to please respect the problem that we have today. Please, everyone, allow the speaker to be heard by the microphones so that, at least, *Hansard* can record what's being said.

The hon. Member for Edmonton-Centre.

Debate Continued

Ms Blakeman: Thank you very much, Mr. Chairman. I'd like to commence the Committee of the Whole debate on Bill 45 by acknowledging and thanking the government for its co-operation in reorganizing the amendments that had been proposed. In general, I am supportive of the amendments that were brought forward in the package by the sponsoring Member for Calgary-Lougheed. However, there are a number of areas where I wish to bring a subamendment or where I had concerns. I didn't want to be in a position of voting against the entire package because of concerns that I had with a few clauses, so I appreciate the co-operation in pulling those clauses out.

I am aware of the time pressure today in that there is a desire by the government to return to the appropriations bill by 5 o'clock,

which leaves about an hour and 10 minutes for this debate. What I would like to do is respond first to the general amendment, amendment A1, which is the larger package of amendments, and then I'm perfectly happy to have that voted. Then we would go on to amendment A2, which is on the courts, discuss it, vote on it, and then to amendment 3, which is on assisted conception. I do have a subamendment. Then amendment 4 on notification, amendment 5 on child support, and amendment 6 on definitions. Finally, I have an amendment to the original bill, which would happen after we've voted on all the other amendment packages currently on the floor.

To start out, looking at the general package, the sponsoring Member for Calgary-Lougheed has apparently gone through to outline what the government was attempting to do with such a large amendment package. There's no question that 65 amendments contained in 38 pages is a large amending document, though I support the government in the work that was done. This bill was originally put on the floor in the spring session and left over the summer for people in communities, interested stakeholder parties, to look at it and give input. As a result of that input we have the amending package before us. I think the process is a good one, and I'm pleased that it, indeed, has happened.

I would make a couple of comments on the package A1, the guardianship order section. I think that once we have fixed the surrogacy and assisted conception sections – and I have amendments to that. The guardians: here again we're speaking about a mother and father, and additional guardians or alternate guardians can be appointed where necessary. This continues the previous law, and it's fine.

When we look at contact orders here under division 3, this is where the test is set out to allow someone to stand in place, the best-interest test. We have some concerns which were brought to me by the Grandparents Association, that felt that the test was too hard, and the Member for Calgary-Lougheed did mention that there had been an amendment in the A1 package to make that easier. I would maintain that the test is still too difficult, but at this point it's come down to a difference in philosophy. The government prefers to have a philosophy of parental rights first and foremost, and that's reflected in the legislation. I would have preferred that there be a wider recognition of different kinds of families, and when we're looking at the best interests of the child, I would have preferred the test be put on the parents to prove why someone else couldn't have contact with their children, but not a hill that I'm going to die on because I think I'm not going to be able to move them on this, and they have been willing to come partway with this amendment, that they have already committed to this. I think it can be argued that the best interest of the child is an actual test that grandparents meet.

3:50

Now the enforcement of access to the child, which appears in division 4, sections 38 to 46. This provides the government with powers to address interference with access, and the provisions are taken directly from the Domestic Relations Act. They are not new. They have been around for some time, and I remember doing an amendment to the Domestic Relations Act in my time here, in '98 or '99, in which the access enforcement section was inserted, and that did seem to have brought a lot of problems.

My concern now is the same as it was back then in that these provisions with enforcement of access I believe contain threats of fines and imprisonment that can be used by access parents to coerce or threaten custodial parents. Often we have a situation where there's a gender bias built into this. In other words, the custodial parent is still in this day and age more likely to be the mother. The

access-seeking parent is more likely to be the father. The fathers often have more financial resources, although I've been corrected recently that it's people with great resources or almost no resources who, in fact, take advantage of the public resources to delay, to go back to court repeatedly.

It becomes a form of harassment to continually go back to court on every variance, on every order and challenge everything, and the custodial parent is having to take time off work, arrange for child care, perhaps are losing salary if they're on wage per hour. If they don't work, they don't get paid. They're having to look at parking costs and travel costs to go back over and over and over again to court to defend themselves. So I still have a concern that that's possible here. I have not seen an improvement, and I think we need to look at this, maybe even address this in the future.

There are no parallel penalties in place for access parents who refuse to take the access as ordered by the court except for a very small provision which allows the custodial parent to get reimbursed for actual costs that were incurred. So a parent has said: "Okay. I'm the custodial parent. I've arranged to go to a family reunion in Newfoundland. I've bought my ticket. This is the weekend that the access parent is going to take the child or children. I bought a dress for the family reunion." Then comes Friday afternoon and the access parent doesn't come. They're out-of-pocket for the plane ticket and the outfit and the hotel and everything else involved. They could apply to the courts for reimbursement. That is the only section that addresses people that don't take the access that the court has allowed them.

I think there's an imbalance there. There's a great deal of effort to coerce custodial parents to grant access. There is no effort to encourage those parents that have an access order to actually make use of it and to have formed a relationship and have ongoing access with the child. That is a place where we are lacking as legislators, and we do need to go back and address this. Noncustodial parents are given all the rights of access to children but not the responsibility of exercising that access.

Another area that I want to make note of is in section 71, around financial disclosure. There are two issues here. One is that the parent need only provide financial disclosure one time per year, and I think that given how much jobs change, conditions change, that is not enough. If we have a parent who gets a much better job two weeks after their disclosure, that doesn't matter. That child is still going to go through the next whole year getting the same amount, and the children should be able to benefit right away if a parent, in fact, gets a better job or their financial circumstance improves. They could win the lottery or inherit money. There are any number of ways for their financial situation to improve, and in this case the children do not benefit from that, and they should. We have no mechanism in place to allow that; it's once a year only. I think this section is another that needs to be looked at, perhaps not now – I don't see the change in what the government has brought forward – but I would urge the government to consider this perhaps under a miscellaneous statutes or an amending bill.

The second part of my concern around the financial disclosure is always around safety. Of course, given my history, I'm concerned for the safety of battered spouses. I have found instances where harassing spouses can use the information in the financial disclosure, particularly the address of the workplace, to continue harassment. They didn't know where the wife or ex-wife was working. In the financial disclosure document, because it's been verified – and that's the point – there was the address of where she worked, and he was now able to start showing up at work and phoning and harassing her and most of her colleagues in the parking lot, et cetera, et cetera. So I think we need to be very careful here, to be aware that once the

information has been verified, there is no reason for any court officer to be releasing the rest of that financial information. It should not be used as a stick to continue to beat people with.

I am supportive of the efforts that the government has made to reduce the adversarial nature of what we have in our setup. We are in a position where we're using the courts as a final resort, and it does set people up on opposite sides. It is a hostile environment. It is adversarial, and it certainly leads to an escalation of already hostile emotions.

Those are the general comments that I think I wanted to put on the record specific to amendment A1. I am, overall, quite pleased with the improvements that have come forward in this pending document. I think that for the most part the government was pretty good about listening to stakeholder groups. As I mentioned, the one that has been most vocal in expressing their concern that their concerns were not addressed were the grandparents' access groups. As I say, I will continue to work on this, and I hope that the government is focused to continue to work on their end.

There has been a minor amendment made already. Because there are so many other amendments that I want to spend time on today that are more critical to me, at this time I'm going to resume my seat and see if my colleague wants to speak to it. We may well be able to vote on this amendment and move on to some of the ones that are more contentious in my opinion.

Thank you for the opportunity to bring forward a few points of concern with this overall amendment A1.

4:00

The Deputy Chair: The hon. Member for Calgary-Lougheed.

Ms Graham: Thank you, Mr. Chairman. I would like to at this time extend my thanks to the Member for Edmonton-Centre for her general support of the bill and of the amendments and for her cooperation in the process by which we are doing this and the anticipated subamendments upcoming and the process by which we will, hopefully, adopt the amendments as a whole.

I would like to just complete the overall summary of the bill. I don't think I will take this opportunity to respond to the comments made on amendment A1 at this time.

So, Mr. Chairman, just to carry on with my remarks, I was talking about the subject matter of the bill dealing with the enforcement of time with a child, which is part 2, division 4, all of which has been removed by way of House amendment AA. It has been redrafted to remove the term "access" and replace it with the term "time with a child," which refers to the actual subject of the enforcement, which is the denial of time with a child.

The next subject matter deals with House amendments providing greater clarification in the act. There are many small changes which have been made to clarify intent, to remove certain sections, and to adjust the wording to better match with the Divorce Act. These House amendments are found in A, H, M, W, FF, GG, II, JJ, LL, NN, OO, PP, VV, and BB(d).

The next groupings have to do with consequential amendments which were not included in the bill for the most part. This allowed for consultation with affected government departments, which took place over the summer. Most of the consequential amendments that have been brought in are aimed at bringing other statutes into line with the concepts and terminology of this bill.

We have House amendment EEE, which adds a new means to end an adult interdependent partnership by obtaining a declaration of irreconcilability.

We have House amendments AAA, FFF, and MMM, which as a group amend the Change of Name Act, the Child Welfare Act, the

Child Welfare Amendment Act, the Law of Property Act, the Maintenance Enforcement Act, the School Act, the Vital Statistics Act, and the Marriage Act. There is also a change to move the loss of consortium through injury to the Tort-feasors Act.

The next grouping relates to regulations and transitional provisions. Some changes have been made as a result of changes in other areas of the act, and we find these at House amendment CCC, which adds regulation-making power for child support guidelines and exceptions for sperm donors relative to a declaration of fatherhood.

House amendment DDD allows for the interpretation of current custody and access orders and the continuation of current guardian and trustee orders.

And the last group, Mr. Chairman, effects amendments affecting government officers, and these references are found in House amendments D, A, J, L, N, and S(b).

That completes my overall description of our amendment package, Mr. Chairman.

The Deputy Chair: Just for clarification between the two sides, the government side and the opposition side, there was the understanding that you will be voting on each amendment, as you've agreed to, separately and have debate in between; correct?

Ms Graham: Yes, Mr. Chairman. We could, then, vote on amendment A1.

The Deputy Chair: At this time the committee is going to have a vote on amendment A1.

[Motion on amendment A1 carried]

The Deputy Chair: We will now debate and then have a vote on amendment A2. The hon. Member for Edmonton-Centre.

Ms Blakeman: Thank you very much, Mr. Chairman. Amendment A2 is pulling out section 3, which is discussing court jurisdiction. I have an issue with this because the section was to delineate which courts have jurisdiction to deal with matters before them. Sorry; this section originally left it up to the minister to designate which court it was going to be. The amendment that was brought in and that we're looking at, amendment A2, was to delineate which courts have jurisdiction to deal with which matters. The section does define which matters the Court of Queen's Bench has exclusive jurisdiction over. That appears in section 3(1), and many of the matters can be dealt with by either the Provincial Court or Queen's Bench, and that's been the situation for some time; in other words, concurrent jurisdiction. If there were two orders, a Queen's Bench, or QB, order prevailed over a provincial order.

But this bill is now saying that where two courts have jurisdiction, the first court engaged has jurisdiction; that is, if the two courts have jurisdiction, whichever court has had an application applied for first has the jurisdiction, and the other court cannot deal with the matter. So section 3(1) sets up the Queen's Bench; section 3(2) sets up the Provincial Court.

Then there are a number of exceptions to what the Provincial Court can deal with, and it's a very long list. It includes things like declaration of parentage, surrogacy, declaration of irreconcilability, trusteeship orders, consent to trusteeship, termination of trusteeship, referral of questions to court, exclusive possession of the home, exclusive use of household goods, cancellation of registration order, amount held in trust or conditions, property transfer held in trust, payment severed by a charge, injunction against disposal of property, authorizing another person to transfer or convey, authorizing

mortgage or security, a default of amounts, and the ability to appoint a receiver. So those things cannot be dealt with by the Provincial Court.

4:10

But where it gets interesting is when we get into what's called concurrent proceedings, which is 3.1 and the subclauses that follow, and that is, essentially, upholding that "whoever gets there first." So we have a problem here because different courts can apply different rules. If Queen's Bench can apply the Divorce Act and the Provincial Court can only apply this act that's under consideration here, the Family Law Act, if the two create different rules, and they do, then kids can be treated according to what court the documents were filed in first. So this becomes a first-to-file scenario that can hurt the kids.

For example, child support. Queen's Bench has jurisdiction to apply the Divorce Act; Provincial Court does not. It can apply only the Family Law Act. If documents were first filed in QB, the Divorce Act applies and a child over 18 can get support if circumstances warrant. If the documents were first filed in Provincial Court, no Divorce Act, only this act, so no support could be ordered. Now, there was an amendment – it's under the support section – that did allow for the maintenance support up to 22 only if either married parents or unmarried parents.

I'm noting that the government amendment had dealt with the specific case of maintenance for at-home children in university full-time. But I think there are other examples where support of children can be obtained under one court but not under the other, and it becomes a matter of who filed in which court first, which is unfair to the kids. So we have not only children of common-law relationships treated differently but also children of divorce if an application was brought into Provincial Court first, for example.

This is not fair and according to the Charter would not be allowed. So I think we are setting up, potentially, a Charter challenge, and I will fight that now. I don't think I'm going to get the government to change their mind today, but I think we need to deal with this. So this is setting up an arbitrary first-to-file type of system, and if a payor/noncustodial spouse wins the race to file first in Provincial Court, I think the kids could lose out, and if a payee or custodial spouse wins the race to file first in Queen's Bench, then the kids get a better deal. I think this is capricious and unfair because it's based on a footrace. I think it will be subject to a Charter challenge, and I don't think it will survive that challenge. Unfortunately, Alberta children will have to wait a couple of years to get lawyers to be able to go back and fix this problem.

So amendment A2, which is pulling out that section 3 around court jurisdiction, is not one that I can support because I think that it is not Charter challenge-proof, and I think it is setting up an inequity between children of parents who are applying through the Divorce Act [inaudible] and children of parents who cannot. That does not seem fair to me.

So those are my comments on amendment A2, and I would urge members not to support this amendment. Thank you.

[Motion on amendment A2 carried]

The Deputy Chair: We'll now proceed with amendment A3. The hon. Member for Edmonton-Centre.

Ms Blakeman: Thank you very much. This section, which we are calling amendment A3 and which would be referred to in the amendment package as G, is on assisted conception. This used to be called artificial insemination. I don't whether it lost out to the term

artificial intelligence, AI, and that's why we're now calling this assisted conception. I don't know. Somebody lobbied somebody somewhere, and now we're going to call it assisted conception. Fine. It's AC instead of AI. Okay. Fine.

My concern here – and I do have a subamendment that I would like to present under this section – is that we're trying to create parents.

The Deputy Chair: Are you moving the subamendment [inaudible]?

Ms Blakeman: You have them there, and when I'm ready, I'll ask you to circulate them, unless you want to do it in advance, but I'm not speaking to the amendment at the moment.

Because we have, for whatever reason, a biological impediment to creating a child here, we are using other means to do so, and in doing so, we now have to legally create parents out of it. So in this situation – and I'd spoken about this in second reading – we're going to have Sally and Dick who want to have a child, but in this case Sally can't get pregnant because Dick is infertile. They go to a clinic. She gets assisted with conception, what we're going to call artificially inseminated, and when that child is born, everyone expects that Sally and Dick are the parents of this child. The problem is that Sally is the mother because she gave birth to the child, and we're going to call that a mother – okay; good – but Dick is not the father. He will have to adopt the child, which is costly and unnecessary. There needs to be an easier way to make these two parents be parents.

So we have a set of amendments that is trying to create a dad, but I would like to present a subamendment here, and I'm mindful of the language that was used by the present member where she talked about greater clarification and better harmonization with the federal legislation. I think that what's important here is that we wanted to Charter-proof, and because this is being so gender specific in the way people are laid out – male and female, father and mother – I think we've gotten ourselves into a problem here.

The Deputy Chair: Just for the record we will refer to this as subamendment SA1. Proceed with your point.

Ms Blakeman: Okay. So I can read subamendment SA1 into the record here. We're looking in this section G of the amendment package in the proposed section 12 at adding the following after subsection (2). It would be 2.1.

A person who was the spouse of or in a relationship of interdependence of some permanence with a female person at the time she was artificially inseminated is the parent of the resulting child if the person consented in advance of the insemination to being a parent of the resulting child.

4:20

So this is getting around that problem where we're sending people off to court after the fact basically for them to adopt a child and go through the court process. I think we want it to be Charter-proof and we want to have this open to many different kinds of families. Specifically, I think we need to be alive to the possibilities of same-sex parents here, so I brought forward this amendment hoping that we could get support for this and be able to do it right the first time and not have to come back with a Charter challenge and fix it later. So there may well be some people who disagree. All right?

So with this point, I would urge all members to vote in favour of subamendment SA1. Thank you.

[Motion on subamendment SA1 lost]

The Deputy Chair: On Amendment A3.

Ms Blakeman: Okay. Given that I was not successful in convincing my colleagues in the Assembly of the need to try and get into legislation that is Charter-proof, I believe that we are now looking at amendment A3, which will not be Charter-proof because what we've set out here is that a woman who's been artificially inseminated and is giving birth is automatically the mother. There are some very specific sections in section 12 to name the father, and there is a section there to shield those who just wish to be sperm donors, I'm assuming.

I think this is too specific. It has muddied the waters here. It is not harmonizing with federal legislation, it is not harmonizing itself in terms of the Charter, it will be back on our plates, and we're going to have to deal with it in the future. I don't like to see this happening over and over and over again at the expense of the Alberta taxpayer, and I would urge all members to vote against amendment A3.

Thank you.

[Motion on amendment A3 carried]

The Deputy Chair: We'll now proceed to amendment A4.

The hon. member for Edmonton-Centre.

Ms Blakeman: Amendment A4 is concerned with section 16, which is specific to notification, and in the amending document that you have, you are looking for section J. This is around notice of application, who gets notification of various court order applications, and it's setting out that "unless the court directs otherwise, the following persons must, in accordance with the regulations, be served with notice of an application." That includes the guardians of the child. "In the case of an application for a guardianship order, each proposed guardian, and a director" of child welfare – that's what comes into play – and "in the case of an application for trusteeship order, the Public Trustee; any other person . . ." and "before making an order . . . the court must consider whether it is appropriate for a child . . . to be given notice" under this section.

My reading of this notice section sets out that the child is to receive notices of all guardianship and contact court applications provided that the child is older than 16 years and subject to court direction, and I will note here that the previous version had said 12 years old, that they would receive notification if they were older than 12. So this is an improvement, saying that it's 16.

The concern here is that people in a relationship that is coming apart – a divorce or a common-law relationship or an adult interdependent relationship that is coming apart – do stupid, awful, nasty, vile things to each other. They do, and anybody who's close to divorcing people knows that. I've been shocked by the behaviour of people that I'm close to that have been divorcing, at how nasty and small and mean-minded things get.

Here we are saying, "Well, sure. Let's give 16 year olds an eyeful. Let them read these affidavits that are being filed in the courts by these people." Could this be used as a weapon in trying to seek the loyalty of the child? Absolutely. Is this a great way to get out there and slag your ex-spouse or your ex-partner, and your kid gets to read it? Yup. That's what could happen here.

On the one hand, I believe in disclosure and I believe in common sense, but I'm also aware that in this circumstance people do stupid and awful things. Do we really need to be putting 16 year olds and older in the middle of this forum to be reading nasty, inflammatory statements that have been written by people who in all likelihood loathe, detest, or hate each other? Kids are dragged into the breakup

of their parents' relationships enough. Do we really need to be underlining this with a heavy black felt pen and having them read it?

Notice is not required under the Divorce Act. It only is common-law relationships who will be served with these kinds of documents. Once again, we have an unfairness that is worked into the system here, that will now be entrenched in the system, that children of divorcing parents will not be subject to this but children of parents who are using the Family Law Act as a way of ending their relationship will be subject to this. Where's the fairness in that? What's the deal here? I think we need to be adult about this and understand that there are repercussions for young people that are the children in this.

So with amendment A4, the notification section, which appears in section J, where you're amending passages in section 16 in the original bill, I think we could've done better. I'm not willing to support this the way it is because it's such a simple thing for us to address and save, certainly, some kids a great deal of pain. Knowing that, we could've done something here, and I'm not willing to support it going forward in the form that it's in.

So I urge all Members of the Legislative Assembly to vote against amendment A4. Thank you.

[Motion on amendment A4 carried]

4:30

The Deputy Chair: We shall now proceed with amendment A5.

Hon. members, before I recognize the next speaker, the noise level is getting very high for *Hansard* to pick up the sound. Please do respect the problem that we have.

The hon. Member for Edmonton-Centre.

Ms Blakeman: Thank you. Amendment A5 is with the act's child support section, which is section EE of your amending document and sections 52 and 53 of your originating bill. Now, the Member for Calgary-Lougheed's opening remarks have caused me a dilemma here because in my reading of this section I was looking specifically for a direct reference to the federal child support guidelines, and in my reading of what we have before us, that reference is not there. What we have in front of us under amendment A5, section 52(1), determining child support: "In making a child support order, the court shall do so in accordance with the prescribed guidelines."

Now, these words are not capitalized. They are not italicized. There's nothing to indicate that they refer to a document that exists somewhere else. It just says "prescribed guidelines." I thought: okay; well, maybe in the definition section at the beginning it will give me that; it will spell that out so that anybody reading this document could understand very clearly that the prescribed guidelines are referring to the federal child support guidelines.

But when you go and look at the definitions that exist in the front of the document under section 1, it's not giving us that, and there's nothing in here that is – there's, you know, definitions for applicant, birth, child, contact order, court, father, grandparent, minister, mother, parent, parenting order, party, person standing in the place of a parent, relationship of interdependence, and respondent. Nothing in here that says that when we say prescribed guidelines, we mean the federal government child support guidelines.

So I have a real concern that this could be misunderstood, and we were seeking clarity here. I don't think this clarifies things; I think it makes them worse because I think we didn't have a reference to this in the past. It was just the reference in there, with which I was very pleased, but I don't think we've accomplished that. Now, I heard the member clearly saying when she talked about this section that she was talking about the federal child support guidelines, but that's not what this says. It does not set it out as referring to a

separate document. There's none of the sort of hints, the directional signs that we're used to picking up when we read legislation that indicates that. It's not italicizing it. It's not in quotation marks. It's not even capitalized. It's lowercase in plain type that matches the rest of the sentence. So I think we've got a problem here because we don't know what prescribed guidelines they're referring to.

What we could have here, if it's not clear that we're talking about the federal government's child support guidelines, is that we can have the court ignore any guideline in some circumstances and allowing parties by consent to ignore the support guidelines, and that does occur in this section. It's going on. Saying, well: "Notwithstanding subsection (1)," in making a child support order, "a court may award an amount that is different from the amount that would be determined in accordance with the prescribed guidelines if"—and then it goes through a series of reasons that the court is setting up as a criteria. You know, if they're satisfied that a special petition is in order for the direct transfer of property or to indirectly benefit a child or that somehow the guidelines would result in an amount of child support that's inequitable given special provisions.

So it says that we're going to adhere to these prescribed guidelines, but it doesn't tell us what the prescribed guidelines are. Then it says: but we can ignore that if given these other circumstances that we decide appear here. Once again, we are setting up a difference in the way children of divorced parents are going to be treated and the way the ending of their relationship comes about through the use of this Family Law Act. Once again we are setting up an inequity between the children of Alberta, and I do not think that is right, I don't think it's fair, and I think it will be subject to a Charter challenge.

So once again the government is setting us up for a lot of money to be spent while we get dragged through court by whoever wants to challenge it. First one up gets to try and straighten this mess out. I think it's very wrong to be setting this up where children get treated differently.

That's what my concern with this amendment A5 is. One, it's not clear that the prescribed guidelines that are being referred to here are the federal child support guidelines, and two, we're setting up for a difference on how children are treated whether they are children of parents who are ending their relationship through use of the Divorce Act or children whose parents can only end their relationship through the use of the Family Law Act. I think that's wrong, and we're causing ourselves a huge problem.

So I would urge all members to vote against amendment A5. Thank you.

Ms Graham: If I might, Mr. Chairman. Just very briefly, I do not think, like the Member for Edmonton-Centre, that it is not clear on a reading of section 52 that the federal child support guidelines haven't been incorporated by this. But I can assure the member and all other members that that is certainly the intent, that the provincial guidelines consistent with the federal child support guidelines will be adopted by regulation. There's no doubt that every government department, every lawyer, every judge, anyone who commented on this section urged us to adopt the child support guidelines. So that was the decision of caucus, and this is more in the form than in the content. That's I think the best I can say at this point: it will be done.

I would ask that we vote on amendment A5.

[Motion on amendment A5 carried]

The Deputy Chair: We shall now proceed to amendment A6.

The hon. Member for Edmonton-Centre.

4:40

Ms Blakeman: Thank you, Mr. Chairman. This is another amendment that I have a subamendment to. This is referring specifically to the definition section at the beginning of the bill. These definitions are important because throughout the bill, when you're trying to figure out exactly who it applies to and who it affects, you go back and look at those definitions that are set out at the beginning of the bill. So this is critical. I've already demonstrated another example where you get some confusion and you say, "Oh, well, maybe it's defined at the beginning," and you go to the beginning and look for the definition of who's covered and who it affects. My concern here is that — and it's a choice of this government; no question — the definitions are too gender specific. What I am trying to do here is again align us more clearly with the Charter and help us to harmonize, which is the word the Member for Calgary-Lougheed uses, with the federal legislation.

What we're trying to do is set up the ability of same-sex couples to be involved in what is set out or enabled through this legislation, and that's difficult for some people in this Assembly. But the law is saying that we have to treat people equally, and this legislation is entrenching inequality, and we need to get away from that. One, because it's the right thing to do, two, because it will point to the Charter and inevitably get taken to court, and undoubtedly we will lose. [Inaudible] of this as the government has tried to defend that inequity.

So what we're looking at here is in the definition section, where we've got the definition of parent, it's saying the mother or father of the child. We already know that that gets a little difficult because, as I pointed out in the surrogacy and assisted conception section, the fact that we could have a situation where we have only one parent, and the second parent had to go through extraordinary measures to get them appointed guardian. So what I was trying to do here is set it up as the second parent.

The subamendment could be distributed at this time, if you like, Mr. Chairman.

The Deputy Chair: Hon. members, the subamendment is being moved, and for the record we shall refer to this as subamendment SA2.

Ms Blakeman: Thank you. Subamendment SA2, then, is referring to the definition section at the beginning of the bill, and specifically to section (k), which says, "'Parent' means the father or mother of a child." This would add the following: ". . . for the purposes of sections 11 and 12," the surrogacy and assisted conception sections again, ". . . a person who is in a relationship of interdependence with the mother or father of a child." So that's taken the gender out of this and allowing us to talk about persons. I think that ultimately what we want to talk about is the parents, the first parent or the second parent of the child. This would have aligned us and would have also said a bit more by defining the person by their position according to the child rather than their anatomical genitalia.

So that's my recommendation and the reasons why I'm bringing this forward. I would like to encourage everyone to vote in favour of subamendment SA2. Thanks.

[Motion on subamendment SA2 lost]

The Deputy Chair: We will proceed with amendment A6. Anybody else want to enter the debate? The hon. Member for Edmonton-Centre.

Ms Blakeman: Okay. In that case, given that we are now about to

pass something that is unconstitutional and that's going to cost Alberta taxpayers a lot of money to fix, I do not support this amendment A6, which entrenches that inequitable definition, and because it is not going to effect change, a disappointment I'm sure. If we are not able to understand what we're causing, it can come back before us sometime in the future when it doesn't pass muster. Plus, there seems to be a lack of concern in the House today to sort out when taxpayers on the hooks are going back to court repeatedly, and I would urge members not to support amendment A6. Save taxpayers some money. Do the right thing and promote an equitable House amendment.

Thank you.

The Deputy Chair: The hon. Member for Calgary-Lougheed.

Ms Graham: Thank you, Mr. Chairman. Just to respond briefly on this subject. I think it's clear that the bill has been drafted in terms of the parents being defined as a mother or father of a child, and if we are going to create a new category of parents, such as the same-sex parent, we would have to review the act in its entirety, and an analysis of a number of changes would have to be undertaken.

Just to put on the record, for same-sex partners that want to be declared as parents, the provisions of the act are aimed at establishing who is the biological parent of the child. They are not trying to create rights to parentage where there is no biological connection. However, an exception is made in the bill where there are circumstances where a disability prevents a person from becoming a biological parent, and the surrogacy sections are aimed at substituting fertility for biological, as well. So, all told, they are designed to assist women who are not able to conceive or carry a child and men who are infertile.

There are ways that same-sex partners can become involved with children. Alberta's adoption legislation was amended several years ago to allow for same-sex couples to adopt, so there is that avenue open. There are also the guardianship provisions of the Family Law Act, Bill 45, which are separate from the parental provisions, that do allow for same-sex partners to apply for authority in relation to the child if they are not biologically connected.

So I make those remarks, Mr. Chairman, and ask you to call for the vote on amendment A6.

4:50

The Deputy Chair: The hon. Member for Edmonton-Centre.

Ms Blakeman: Thank you. I appreciate the member joining in, but she has exactly underlined my point in that they are creating different circumstances, a different test and different requirements for certain people for the same situation. When they have a bill which is legally creating mothers and fathers – and that's what we're doing in these sections; we're having to figure out a way to allow people to be legally created as a parent in a situation of assisted conception or surrogacy – we should be applying that equally to all those who are interested in engaging in that and being a parent.

But what's being created here is yet again a barrier, a different test, an inequality by expecting that one group of people who somehow have a different way, with an additional amount of money – they're going to have to get a lawyer. They're going to have to go through a different process in order to adopt, and it does set up inequality. It is unequal. It is discrimination, and it is not acceptable, in my opinion.

So once again I urge members to vote against amendment A6. Thank you.

[Motion on amendment A6 carried]

The Deputy Chair: The hon. Member for Edmonton-Centre.

Ms Blakeman: Thank you. We have now completed all the amendments and variations of amendments that the government has put on the floor on this bill. At this point I have an additional amendment that I would ask the table to please distribute.

The Deputy Chair: For the record we shall refer to this amendment as amendment A7.

The hon. Member for Edmonton-Centre.

Ms Blakeman: Thank you very much, Mr. Chairman. This is the other half of the equation that I have been referring to. Earlier, when we were discussing government amendment A3, we were looking at the creation of parents around assisted conception, and I was urging with my subamendment that we be equal in those who were inclined to be parents.

We have an interesting process here in that I've had to bring forward a subamendment because the government has an amendment on the floor. In the case of the surrogacy section, which appears as section 11 in the bill, it has not been amended. I will now bring forward my amendment A7, which directly amends the bill. There's no other government amendment that I'm aware of. This is the other half of that. I've already mentioned my view that around assisted conception we're trying to create fathers. With the surrogacy we are having to legally create a mother, and that generally recognizes the person who gives birth as the mother. In this case, a third party is involved in that, who is the gestational mother. So legally it'd be best not to say: okay, but it's this person over here.

To go back to my original example where we were talking about Sally and Dick wanting to have children, Sally for whatever reason could not carry a child to term, so they opted for a surrogate situation. The bill was creating the opportunity for Sally to be legally made a mother.

What I'm trying to do with this amendment A7 that's before us is create the opportunity for the second parent to be involved without naming a gender along with that, allowing same-sex parents to be involved in this. So in section 11 we'd be creating a section (6.1). Section (6) reads: "A genetic donor who is declared to be the sole mother of the child under subsection (5) is deemed to be the mother at and from the time of the birth of the child." This would create a section (6.1) below that.

When the court has made an order under subsection (5) the court, on application by a person who is the spouse of or in a relationship of interdependence with the mother of the child, and with the consent of the mother of the child, shall order that the applicant is a parent of the child.

So it's setting up the second parent. Rather than require that this person go through an additional proceeding – hire a lawyer, go to court, and officially adopt – this would allow it to be set up at the beginning, prior to the birth of the child.

This, I think, is important. Again, it does harmonize us federally with the Charter. It would protect us from a Charter challenge because we are being equitable to all those who request an interest in this. It treats all couples coming forward the same rather than requiring some to go through a different process than others. I think this is the right thing to do for this Assembly, and I urge all members to vote in favour of amendment A7.

Thank you.

Ms Graham: Again, Mr. Chairman, very briefly, I would comment

on the impact of this amendment for men who want to be recognized as fathers. I'd like to point out that there already is provision in the legislation to do what this amendment would do.

For same-sex partners who want to be declared as parents, I would just reiterate the comments that I made on the record relative to subamendment A2, and I'd ask the chair to call for the vote.

[Motion on amendment A7 lost]

[The clauses of Bill 45 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. Deputy Government House Leader.

Mr. Stevens: Mr. Chairman, I'd move that we rise and report Bill 45.

[Motion carried]

5:00

[Mr. Shariff in the chair]

The Acting Speaker: The hon. Member for Wetaskiwin-Camrose.

Mr. Johnson: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports Bill 45 with some amendments. 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 Acting Speaker: Does the Assembly concur in the report?

Hon. Members: Agreed.

The Acting Speaker: Opposed? So ordered.

head: **Government Bills and Orders**

head: **Second Reading**

Bill 54
Appropriation (Supplementary
Supply) Act, 2003 (No. 2)
(continued)

[Adjourned debate November 27: Mrs. Nelson]

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

Dr. Taft: Thank you, Mr. Speaker. Well, once again we find ourselves going back to the coffers to fill in holes in the budget, and as always there are some instances where that's well justified, some where there are real questions that have to be asked. This is a very large appropriation bill in my brief experience as an MLA. We're looking at a total here of over \$1.2 billion in supplementary supply for operating expenses and another \$21 million for capital investment. So it's a very large sum of money, and it bears the same kind of attention as our budget debates in the spring normally get, particularly because a good portion of this money, nearly half or about half, [inaudible] and then there were problems that were not

anticipated at all since the last budget, since the outbreak of bovine spongiform encephalopathy. To respond to that and the so-called mad cow crisis, we are asked to be on the hook through this bill for \$564,285,000 directly through Agriculture, Food and Rural Development and another \$135 million through the Canadian agricultural income stabilization program. That is a staggering amount of money to have to respond to a problem created by one cow. It's a tragedy. It's a three-quarters of a billion dollar cow and water under the bridge, I guess.

In hindsight, Mr. Speaker, the lesson that we all learned from that certainly concerned the testing that was delayed for three or four months, although in the end that was only one part of a much bigger problem. It certainly raises concern over general food safety and over, frankly, the assumption we took that a brand that's as valuable as Alberta beef was solid. In fact, in hindsight I guess we could have somehow taken other steps to protect that brand nationally and, more importantly, internationally and maybe avoided a three-quarter of a billion dollar and growing expenditure.

So that one issue has a dramatic impact on this bill and on the Alberta taxpayer, and to put it into perspective, the amount of money we've put into that problem in the last six months would probably build two southeast Calgary hospitals, and just the astonishing needs in education and so many other areas. Instead, we're being asked, and understandably so, to put that money into responding to a crisis. I'm sure it's very frustrating for all of us to have to open up the public bank account to that extent for that kind of use.

The other sorts of expenditures that we see here come from a range of issues, the kinds of issues that we see every year in appropriations: a certain amount to respond to forest fires – I'm trying to find a figure here, but in any case it's a substantial amount – and then a handful of amounts for other programs. I shouldn't probably use the term "handful" because they add up still costing millions of dollars.

So this just raises for me most fundamentally a question about how we budget. I'm sure I'm on the record many times expressing frustration over the fact that there seems to be a disconnect between the budget cycle of this Legislature and the budget cycle of some of the largest spenders that the Legislature supports. Most specifically, I comment frequently on how the regional health authorities budget cycle and the budget cycle of this Legislature exactly overlap. The problem has arisen where by the time the RHAs have negotiated their budgets with the Department of Health and Wellness, they're halfway through their fiscal year, so that gives obvious problems on budget controls. I'm afraid that sort of problem is repeated in some of the other public agencies that are supported through the budget.

We're looking here at a cost overrun of about 5 percent or so of the total planned expenditures. This is more than just a contingency. I understand from flipping through *Hansard* that the discussion of this is really not recording contingency expenditures, but the fact is that the contingencies have already been built into the budget we approved last spring, so this is in excess of contingencies, and again it raises real questions for me about how we control our finances.

So, Mr. Speaker, it would be interesting to see if we have any more supplementary bills. I do note that there are no requirements from the Department of Health and Wellness, and I congratulate the minister on that level of management. I hope he's able to see it through to the end of the year, although I think it's going to be a challenge given the position of the RHAs in the last few days. There's always been a real challenge in balancing the demands of the regional health authorities or support at the hospital boards, the ability of the government to meet its budget, delivering its budget. So it'll be interesting to see how that plays out.

I'd also note that I think in here we are seeing under Infrastructure an amount that includes an allocation for energy rebates. On page 64 of these supplementary estimates the details are here that there's \$180 million set aside for potential energy rebates. I guess we could ask ourselves: if it's only a potential expenditure, why don't we hold off until we actually see if it's necessary, or is this some kind of signal that, in fact, the government is planning to hand out energy rebates this winter? The Treasurer is nodding her head. We are committed to these energy rebates?

Mrs. Nelson: Yeah.

5:10

Dr. Taft: All right. Well, it'll be interesting, then, to see. The phrasing in the supplementary estimates this afternoon is "potential energy rebates." Maybe it should say actual energy rebates, and we'll see all those cheques come in.

Anyway, those are my comments for now, Mr. Speaker. I appreciate the opportunity to debate a handful of issues. It's over a

billion dollars, so I expect government MLAs will be standing and helping to account for how they've managed to overrun the budget by such a large amount in six months.

Thank you.

The Acting Speaker: The hon. Minister of Finance to close debate?

Mrs. Nelson: No. Question.

[Motion carried; Bill 54 read a second time]

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

Mr. Stevens: Thanks, Mr. Speaker. I move that we call it 5:30 and adjourn until next Monday afternoon.

[Motion carried; at 5:12 p.m. the Assembly adjourned to Monday at 1:30 p.m.]

