

## Legislative Assembly of Alberta

Title: **Wednesday, May 17, 2006**

**1:30 p.m.**

Date: 06/05/17

[The Speaker in the chair]

head: **Prayers**

**The Speaker:** Good afternoon.

Let us pray. We confidently ask for strength and encouragement in our service to others. We ask for wisdom to guide us in making good laws and good decisions for the present and the future of Alberta. Amen.

Please be seated.

head: **Introduction of Guests**

**The Speaker:** The hon. Minister of Agriculture, Food and Rural Development.

**Mr. Horner:** Thank you, Mr. Speaker. It's a pleasure for me to rise this afternoon and introduce to you and through you to all members of the House 105 visitors from Spruce Grove, from the Greystone Centennial middle school. I had the opportunity to visit with them a little bit in the rotunda at noon today, and this really is the future of our province. They are accompanied by teachers Mr. Lonnie Granley, Mrs. Shireen Mohammed, Mrs. Lila Befus, Mrs. Tracy Lachman, Miss Robyn Currie, and parent helpers Mrs. Colleen Wallace, Mrs. Sandra Christiansen, Mrs. Susan Cherkas, Mrs. Pearl Young, and Mrs. Lauri MacKinnon. I believe they are in both galleries. I would ask that they rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Hon. the Premier, did you have an introduction?

**Mr. Klein:** Yes, Mr. Speaker. I would like to introduce Ryan Wells, who's here today with his two sons, Dylan and Eric Wells, and his uncle Wahab Ali. Ryan is an oil field supervisor, and his sons attend school in their hometown of Drayton Valley. Ryan's wife bid and won a lunch for four with me through the 10th annual Western Mardi Gras, an auction put on by the Chrysalis foundation.

Now, the foundation's auction raises funds in support of persons with disabilities and helps improve their lives in many ways. The Chrysalis foundation is a cause that's near and dear to Ryan, his sons, and especially his Uncle Wahab, whose daughter was born with a disability. I had the pleasure of enjoying lunch with the group of four this afternoon, which was once again a gourmet meal of sandwiches.

**Some Hon. Members:** Egg salad.

**Mr. Klein:** Egg salad, yes.

It was a special treat to talk with Ryan's sons, who at ages 11 and 12 are already like their father and uncle very community-minded Albertans. They are seated in the members' gallery, and I would ask the Assembly to please join me in giving them the warm welcome of the Legislature.

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

**Mrs. Tarchuk:** Thank you, Mr. Speaker. I'd like to introduce a very special group called the CCAF, who are sitting in the Speaker's gallery this afternoon. They are participants in a nine-month international fellowship program based in Ottawa and are visiting us

today as part of a western Canadian tour. The fellowship program is a collaboration between the office of the Auditor General of Canada, the Canadian Comprehensive Auditing Foundation, and the Auditor General of Quebec. The program is sponsored by the Canadian International Development Agency and is designed to expand knowledge and understanding of public-sector accounting and auditing as practised in Canada and help fellows address auditing issues in their home environment.

With us today is Mrs. Pauline Kane Fortune from Cameroon, Mr. José Alpizar Fallas from Costa Rica, Ms Grace Mugyabuso from Tanzania, Mr. James Ryoba from Tanzania, Mrs. Sirin Phankasem from Thailand, Mr. David Sohinto from Benin, Mr. Benoît Azodjilande from Benin. They are accompanied today by their hosts Ms Donna Bigelow, program co-ordinator of international affairs at the office of the Auditor General of Canada; Mrs. Antonine Campbell, principal of international relations at the office of the Auditor General of Canada; Mrs. Caroline Jorgensen, manager for international business at the CCAF in Ottawa; and Ms Lori Trudgeon, communications co-ordinator with the office of the Auditor General of Alberta.

Mr. Speaker, as I mentioned, they are seated in the Speaker's gallery, and I would like to ask them to rise and receive the warm welcome of the Assembly.

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

**Dr. B. Miller:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to the members of the House the mother of one of our pages. Stacy Schell is the page. She's right over here. Apparently, she sprained her ankle, so we're happy to see her in the procession walking. It's rough work being a page. We're happy that Stacy's mother is here in the House, so it gives me great pleasure to introduce her, Jody Schell. She is in your gallery, Mr. Speaker, and I invite her to stand and receive the warm welcome of this House.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Martin:** Thank you, Mr. Speaker. I have two introductions today. First of all, it gives me great pleasure to introduce to you and members of the Assembly some 20 active seniors from Beacon Heights seniors' club, led by their leader Mrs. Vickie Drewoth. I've been over there a couple times, and they are active. They wanted me to play bingo with them, but I watched a couple games where they were covering eight or nine cards. I wouldn't have kept up with the one, so I wisely declined. They are in the members' gallery. I'd ask them to stand and receive the warm welcome of the Assembly.

My second introduction. I'm also very pleased today to introduce to you and through you to this Assembly Janet MacNeil. She is also the mother of one of our hard-working pages, Desirée MacNeil. Janet worked for the Multiple Sclerosis Society for eight years as a presenter for the MS readathon, educating and informing students about MS in schools around the city. In the process of changing careers, she continues to help with the MS Society. Janet is also a creative and dedicated mother to her four children. Janet is seated in the Speaker's gallery. I now ask that she rise and receive the traditional warm welcome of this Assembly.

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

**Mr. R. Miller:** Thank you very much, Mr. Speaker. I have two sets of introductions this afternoon. The first is a duo of constituents from Edmonton-Rutherford, Scott Reith and his father, Bruce Reith. Scott is a 14-year-old who has a very keen interest in politics. He

has visited the Parliament buildings in Ottawa and wanted a chance to experience a question period in our Legislature. He tells me that someday he wants to be Prime Minister. We had an opportunity to have a brief visit outside before the proceedings today, and his father, Bruce, informed me that he was once a page in this Legislature, in 1979. I would ask them to please rise and receive the traditional warm welcome of this Assembly.

My second set of introductions, Mr. Speaker, three staff members from the Alberta Liberal caucus. I would like to introduce Jill Roszell, who is our outreach co-ordinator. She comes to us from the arts community and has done a bang-up job, if I may say so, this spring. Christel Hyshka is a caucus STEP student for the summer and previously worked in the office of the Member for Edmonton-McClung as a STEP student. She just completed a degree in political science and I understand will be beginning her master's work this fall. The third would be Kelly FitzGibbon, who is an administrative assistant extraordinaire. I can attest to that because at the last minute I had her prepare tablings for me this afternoon with very short notice, and it was a lot of work. So I would ask them to please rise and receive the traditional warm welcome of the Assembly.

1:40

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

**Mr. Backs:** Thank you, Mr. Speaker. I'm honoured today to rise and introduce to you and through you to all members of this Assembly Anna-May Choles. Anna-May is a proud Edmontonian and is planning to enter her third year of honours in political science at the University of Alberta and will be providing her valuable assistance to the constituency office of Edmonton-Manning this summer. Please rise, Anna-May, and receive the traditional warm welcome of this Assembly.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Cardston-Taber-Warner.

**Mr. Hinman:** Thank you, Mr. Speaker. I also have two. I'm honoured today to introduce to you and through you to the members of this Assembly three guests who have already travelled over six hours to be here today. My guests are concerned citizens from the Clear Hills area and are here today to hopefully get some direction on how they can protect their community and their quality of life. They feel that confined hog feeding operations could have a detrimental impact on the future development of the region. I would ask my guests Terrie Wayland, Becky Montpellier, and Lee Svederus to please rise and receive the traditional warm welcome of this Assembly.

Mr. Speaker, I'm also privileged to introduce to you and through you to the members of this Assembly three guests who are visiting here from the Eureka River area. They have also travelled over six hours to be here. My guests Linda Basnett, Dave Larsen, and Herb Bean have come to the Legislature to promote responsible animal husbandry and land stewardship as they relate to confined hog feeding operations. They feel that this could have a negative and divisive impact on their community. I'd ask my distinguished guests to please rise and receive the traditional warm welcome of this Assembly.

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

**Mr. Eggen:** Thank you, Mr. Speaker. I'm very delighted today to introduce to you and through you to members of the Assembly Ms

Glynis Dorey. Ms Dorey is a member of the Strathcona composite high school parent council. She's a graduate of the computing science program at the U of A and holds a master of political economy from the London School of Economics. Glynis is here today about her concerns regarding insufficient heating and infrastructure problems at Strathcona high school. I'm very pleased to have Ms Dorey join us here today, and I would please ask her to rise and receive the warm traditional welcome of the Assembly.

**The Speaker:** Are there others? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I'm just delighted today to introduce to you and through you to all members of the Assembly Sarah Crummy. Sarah has been volunteering in my constituency office of Edmonton-Centre all year and is now going to continue her work with us over the summer as our summer student. She has graduated with her degree in political science, and we're very honoured to have her join us and bring her perspective to our office. I would ask her to please rise and receive the warm and traditional welcome of the House.

head:

### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Member for Calgary-Currie.

### Confidentiality of Ministerial Briefing Notes

**Mr. Taylor:** Thank you, Mr. Speaker. More than a decade ago the Premier introduced a bill that was aimed at making the government more open and accountable to Albertans. The Premier intended to give the people of this province real power to see into the workings of government, stating, and I quote, that there is a public expectation that we must be more transparent; what you see is what you get, end quote. Now, upon his departure, the Premier is pushing legislation that effectively states to taxpayers: you can't see, and you can't get. To the Premier: given that in question period yesterday the Premier waved his briefing binder for the public to see, why now can they not get?

**Mr. Klein:** Well, I'll wave it again, and you aren't getting it. You are not getting it. It contains advice to the ministers. You can wait five years. Some of that advice the opposition will use for sure. This individual will use it for sure to interpret this as government policy when, in fact, it has not become policy. Some of it may become legislation; some of it may become policy. But this is fundamentally advice to the minister to answer questions, and we have no idea where they're coming from. No idea where they're coming from. But these are anticipated answers to questions. You know, they go to great lengths – that is, the members of the administration – to provide intelligent answers to what sometimes are very stupid questions.

**Mr. Taylor:** Mr. Speaker, there are no stupid questions, just stupid answers.

Is it still the Premier's position that there exists a public expectation for greater government transparency in the province of Alberta?

**Mr. Klein:** Well, Mr. Speaker, it's amazing when he talks about transparency. I had a conversation with a gentleman just a few days ago. He was a supporter, as many Albertans are, and he said that this is one of the most transparent governments he has ever encountered.

Transparency goes far beyond what's in briefing books. It involves attending media scrums almost on a daily basis. I know that the Leader of the Opposition is usually at those media scrums not to participate but to find out what I say so they can use it in question period the next day. Relative to transparency we use the website, we use communications as much as we possibly can. All of our ministers are accessible and open and accountable to the public through the media. So this is a very accessible and transparent government.

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

**Mr. Taylor:** Thank you, Mr. Speaker. Actually, the Leader of the Opposition usually takes the podium after the Premier leaves the room.

Given the Premier's apparent – to me, anyway – total flip-flop on transparency and accountability, what has happened under the Premier's watch that is so bad that it needs to be concealed?

**Mr. Klein:** Nothing needs to be concealed. This is totally consistent with the freedom of information and protection of privacy legislation. The information contained in this briefing book is already privileged and is already protected. Bill 20 simply takes it out for an extended period of time. After five years they can have it. They can have it then, not now and not to use for purely political purposes.

**The Speaker:** Second Official Opposition main question. The hon. Member for Calgary-Currie.

#### Gasoline Taxes

**Mr. Taylor:** Thank you, Mr. Speaker. You know, I've already had it.

Mr. Speaker, it comes as no surprise to motorists that as this long weekend approaches, gas prices begin to soar at the pumps again. While this government collects millions of dollars in extra revenue, our drivers continue to get hit with high provincial fuel taxes. This doesn't just affect Albertans hitting the highways for the long weekend. This is thousands of Albertans running small businesses dependent on vehicle fleets. To the Premier: given that for every dollar increase in the price of a barrel of oil the Alberta government reaps more than a hundred million dollars in extra revenue, why won't this government consider reducing the gasoline tax so that ordinary Albertans can benefit from soaring resource revenues?

**Mr. Klein:** Mr. Speaker, our tax on gasoline is already the lowest in Canada. It is a flat tax; it doesn't rise and fall with the price of gasoline. Basically, the producers are responsible for setting the price of gasoline. We have a tax, which, as I say, is the lowest in Canada, plus we rebate 5 cents a litre off gasoline back to municipalities. So I think that our policies relative to gasoline and the sale of gasoline, notwithstanding the revenues we reap from the oil industry through royalties, are very reasonable indeed.

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

**Mr. Taylor:** Thank you, Mr. Speaker. Given that a two and a half dollar a barrel increase in the price of oil would cover any revenue that this province would lose from cutting the gasoline tax, why won't this government consider reducing the tax to 5 cents a litre so that municipalities continue to benefit, and now so do drivers as well?

1:50

**Mr. Klein:** Mr. Speaker, we use the tax on gasoline to build roads and other needed infrastructure. If the hon. member is willing to forgo these very essential infrastructure projects, then I invite him to stand up and say so.

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

**Mr. Taylor:** Thank you, Mr. Speaker. Then, to the Minister of Economic Development: what assessments, if any, has his department done to determine the effects of high gasoline prices on small Alberta businesses?

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

**Mr. Horner:** Thank you, Mr. Speaker. Actually, the department has done a lot of work on the feasibility of doing business across a number of different areas in North America. Quite recently there have been a number of reports that have come out that would indicate that Alberta is one of the best places to do business in all of North America. In fact, we rank very highly across a number of jurisdictions. So to look at only one piece of the whole puzzle really isn't responsible when you're talking about total business. We rank very well.

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

#### Temporary Foreign Workers

**Mr. Backs:** Thank you, Mr. Speaker. The federal government stated yesterday that they are processing over 10,000 temporary foreign workers for our oil sands. They say that these applications are approved by this Alberta government and will work under the oil sands temporary foreign worker memorandum of understanding initiated by this Alberta government. Yesterday in this Legislature the Minister of Advanced Education admitted that there are thousands of union tradesmen unemployed in Alberta. The minister said that they are unemployed because they want to work closed shop, which means that they want to work with a real union. My question is to the minister of human resources. Will this government stick to its often-repeated statement of hiring Albertans first, Canadians second, and work to rescind, to cancel, these applications for thousands of temporary, indentured foreign workers?

**Mr. Cardinal:** Yes only to the first part of the question, Mr. Speaker. Yes, our top priority, of course, is to hire Albertans first, hire aboriginals, persons with developmental disabilities, and older workers that are displaced. That is our top priority.

I mentioned in this House earlier that we are working with some of the federal ministers already. I met with the federal minister of immigration already to talk about various issues that related to needs in Alberta. I'm meeting soon with the minister of Indian affairs to talk about the issue of aboriginal unemployment in Alberta. I've said before that there are over 200,000 aboriginal youth between the ages of 15 and 25. A lot of aboriginal youth still live in poverty. There's a lot of work to be done, but we are definitely working in that direction to ensure that they have the same opportunities as anybody else.

**Mr. Backs:** Let's get them working. They would make good workers.

A supplemental to the same minister: will the minister investigate

whether restrictive contract terms by oil sands owners on union contractors are resulting in Albertans and Canadians being unemployed and replaced by temporary, indentured foreign workers?

**Mr. Cardinal:** Of course, Mr. Speaker, I've said before in this House that with temporary foreign workers their immigration to Canada is completely under federal jurisdiction. This member knows that and still asks the same question over and over again. Call the federal immigration minister. You might get a different answer. In the meantime, our priority is to look after Albertans. Our job as a government is to create the environment for private industry to create the jobs and the wealth, and there are lots of job opportunities out there.

**Mr. Backs:** They're quoted publicly as saying that they're approved by the Alberta government.

A supplemental to the minister of human resources. Will the minister be working to ensure that temporary foreign workers are not displacing qualified Alberta tradesmen in oil sands work just because their employer will not employ union trades, which are the bulk of industrial tradesmen in Alberta?

**Mr. Cardinal:** Mr. Speaker, like I mentioned earlier, we do as a government try to create the environment for private industry to create the jobs and the wealth in Alberta. It's up to the unions, individuals, non-union members that are interested in work to negotiate with the companies themselves.

**The Speaker:** The hon. leader of the third party.

#### Political Party Donations

**Mr. Mason:** Thank you very much, Mr. Speaker. Unite the Right became a slogan with new meaning last night as the Liberals and the Tories joined forces to vote down an NDP amendment that would have cancelled the fiscally reckless corporate tax cut in this year's budget. Since we know that 73 per cent of PC Party contributions and almost half of Liberal Party contributions came from the corporate sector, while 99 per cent of NDP donations are from individual Albertans, it's clear who is paying the piper. My question is for the Premier. Will this Premier commit, before he leaves office, to taking big money out of Alberta politics by restricting donations to individuals only, as Quebec, Manitoba, and the federal government have done?

**Mr. Klein:** Mr. Speaker, I'm not sure, but I think that that is a matter for the Legislature. We have no control over who gives to this party, the Conservative Party, or the Liberal Party, nor do we have any control over who gives to the ND Party. You know, the New Democrats are supported in large part by the unions. Now, I don't know to what extent they get donations from the unions either individually from union members or collectively through the union organizations, but I would bet that they get a significant amount from unions and union workers.

**Mr. Mason:** Mr. Speaker, we're pleased to give up union donations if you'll give up corporate donations.

Mr. Speaker, given that the corporate sector gave \$1.5 million in 2005 to the Liberal and Conservative parties and received in exchange a \$250 million tax cut, will the Premier admit that it's corporate donations that are driving the tax cut agenda of his government?

**Mr. Klein:** No, Mr. Speaker. It's the economy that's driving everything really. You know, the income tax laws are there for everyone. They're there for the NDs as well. It doesn't matter. The 90 some-odd per cent of the individuals who donate to the ND Party get a very handsome tax receipt and tax break, as do corporations, as does everyone and all bodies, corporate or otherwise, who donate to political parties.

**Mr. Mason:** Mr. Speaker, this is a serious question, and other governments have taken it up. Will the Premier commit, before he leaves office, to taking big money out of politics?

**Mr. Klein:** Mr. Speaker, that is entirely up to the donors, whether they donate to the NDs, the Liberals, or the Conservatives. We are not a top-down government, you know. We are not a top-down government, and we don't interfere like the NDs want to interfere. They want to control every aspect of everyone's life all the time.

**The Speaker:** The hon. Member for Cardston-Taber-Warner.

#### Confined Hog Feeding Operations

**Mr. Hinman:** Thank you, Mr. Speaker. Many feel that it's the responsibility and duty of government to strike a balance between individual rights and a community's will. It is often stated in law that one's individual rights end when you encroach on other people's quality of life or property. My first question is to the hon. Minister of Agriculture, Food and Rural Development. What can municipalities do if they do not want confined hog feeding operations in their jurisdiction?

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

**Mr. Horner:** Well, thank you, Mr. Speaker. It's a good question. Municipalities do have the ability through their land-use planning to set aside areas they consider not appropriate for confined feeding operations. Certainly, under AOPA, the Agricultural Operation Practices Act, and the Natural Resources Conservation Board approval officers cannot approve applications if they're not consistent with the act or with the land-use provisions in the county's municipal development plan. I can assure this hon. member that this government is committed to ensuring that our legislation and the regulations are fair to the communities, to the operators, and to the environment.

2:00

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

**Mr. Hinman:** Thank you, Mr. Speaker. Again to the same minister: is there anything residents who are against the confined hog feeding operation can do if their municipal government is pursuing it?

**Mr. Horner:** Certainly, Mr. Speaker, they can make representation to their municipal governments. When the NRCB receives the completed application for these proposals, the public is notified by ads in the local paper and courtesy letters. They usually have 20 working days to submit their concerns. It's my understanding that the CFO this member is speaking about in northern Alberta has really only submitted part 1 of the application process. Part 1 of the process is essentially just informing the NRCB that there's something coming. Most confined feeding operations in this province are family operations, and our producers are good stewards of the land, and we're very proud of that.

I would also note, Mr. Speaker, that it's my understanding that the county council in this instance has actually put a hold on any permit issuances at this point in time to ensure that those residents' concerns are heard, that the environmental issues are heard, that the regulations are followed, and that they're doing what they need to do as a municipality and as duly elected officials.

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

**Mr. Hinman:** Thank you, Mr. Speaker. My second supplemental question will be to the minister of health. Does the province have any studies – and if not, will they undertake to do one? – to determine the effect that confined hog feeding operations have on the health of the workers, the neighbours, and the surrounding environment?

**Ms Evans:** Well, Mr. Speaker, I think that's more appropriate for the minister of agriculture, and I will ask him to respond.

**Mr. Horner:** Well, thank you. We do an ongoing scientific review of confined feeding operations. The NRCB consults the latest data that is out there. We have had extensive consultation with the industry, and the Department of Environment is also well informed of any of these things.

Mr. Speaker, it is unfortunate when a development like a hog operation threatens to split a community, and that's exactly why we've developed these processes. That's exactly why we've developed the regulations. That's exactly why we base the decisions on science in consultation with Environment. The NRCB actually reports to Sustainable Resource Development, and that balances the interests of agriculture and the environmental concerns.

I do find it interesting, Mr. Speaker, that the member whose constituency actually contains more than 126 confined feeding operations would be quite interested in limiting that. Our policy is to build agriculture in Alberta, not dismantle it. Our policy is to build jobs in rural Alberta, not move them out of rural Alberta. Our policy is to develop the value chain of agriculture that the primary producers can earn their dollar from.

**The Speaker:** The hon. Member for Drayton Valley-Calmar, followed by the hon. Member for Calgary-Mountain View.

#### **Agricultural Income Stabilization Program**

**Rev. Abbott:** Well, thank you, Mr. Speaker. The federal government recently announced that it is deferring collection of overpayments under the Canadian agricultural income stabilization program, commonly referred to as CAIS. But that deferral applied only to the provinces where the federal government administers the CAIS program. My question is to the Minister of Agriculture, Food and Rural Development. Because CAIS is handled here by the province, is that putting Alberta producers at a disadvantage?

**Mr. Horner:** Well, Mr. Speaker, I welcome the opportunity to clarify this situation as there is a little bit of confusion out there. Yes, the federal government did defer collection of any CAIS overpayments until it has had a chance to work out details on an additional one-time funding arrangement which they've announced, which we're still waiting to hear the details on. The federal government did say that they were going to delay interest on those overpayments until January 1 of 2007.

In fact, Mr. Speaker, the federal government is following our lead. We introduced a similar measure in February of this year, and in

consultation with producers last fall we informed every producer who has been in an overpayment situation under the CAIS program that no interest would be charged until the end of December. As well, we also added some much-needed flexibility to the producers in the sense that we informed them that they could convert any money owed to low-interest loans, to long-term repayment under CAIS program payments that were coming to them. This week we are actually calling or writing to every Alberta producer who has an overpayment under CAIS, and we are recommending that they hold off any business decision on the overpayment until we've had a chance to see what the federal changes will do to the overpayment situations in Alberta.

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

**Rev. Abbott:** Thank you, Mr. Speaker. Then my only supplemental to the same minister is: what is he or his department doing to ensure that the changes the federal government is proposing are the right ones for our Alberta producers, that will help us?

**Mr. Horner:** Well, Mr. Speaker, as we've talked about in this House a number of times, we are part and parcel of the National CAIS Committee. We are working through that committee to try and understand better what exactly it is that the federal government is going to do in terms of this retroactivity that they've announced, in terms of how they're going to calculate this payment. Until we know that, until we actually know what procedure they're going to follow and the calculation that they're going to use, it's a little difficult for us to understand how that's going to impact our producers in the province. We are lobbying a certain amount to have a set approach taken that we think will benefit, certainly, our grains and oilseeds producers who are the most dramatically hit.

It's interesting to note that of the 36,000 producers who are under our CAIS program, our overpayment situation is just a little bit over 10 per cent. In the total realm of things that's not to say that it's not a serious situation, Mr. Speaker. We believe it is, and we're hopeful that this one-time payment will help that.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by the hon. Member for Calgary-East.

#### **Coal-bed Methane Drilling**

**Dr. Swann:** Thank you, Mr. Speaker. Rural Albertans have lost trust in the ability of this Environment minister to protect groundwater and their safety. Growing rural concerns about increasing gas migration into water have been dismissed as fearmongering by this minister. One week ago in Spirit River a private well exploded, burning and hospitalizing three men. Alberta Environment has been investigating and receiving complaints about this well for over three years. To the Minister of Environment: can the minister confirm that this private well which exploded in Spirit River was being investigated by Alberta Environment?

**Mr. Boutilier:** Mr. Speaker, this was, as the hon. member has mentioned, a very unfortunate occurrence. In fact, one of my own Environment staff is the son of the family who owns the well. Of course, I wish his father and the other two involved in the incident a speedy recovery as I'm sure all members of the Assembly do. My ministry was on-site very shortly after the incident occurred, and we will continue to be involved until this issue is resolved.

I want to say, Mr. Speaker, that this hon. member has been in here talking about coal-bed methane drilling. There is no coal-bed

methane drilling going on anywhere near what is happening up there. I want to say that at this time we have no reason to believe this is related to industrial activity. There is simply no coal-bed methane in this area at all.

**Dr. Swann:** Mr. Speaker, after two years of complaints from people like the Zimmermans, Ernsts, Lauridsens, and others, how can we believe this department is protecting their health and doing a proper investigation of the complaints?

**Mr. Boutilier:** Mr. Speaker, the inferences that he is making against me personally I find unacceptable. I accept them but as a public official because my passion and my interest is protecting the land, air, and water of this province to every citizen, all 3.2 million.

I guess I'd best describe it as almost as if I don't have a heart. All I can say to you is simply this. Albertans are very caring people, and I know that this government reflects that in how we protect the environment. I think, based on some of the inferences that you have made against me, based on some of the unsubstantiated facts that you have made, I can assure all Albertans that we will do what is right in protecting their interest.

Let me end by saying this. I think there's only one quality that is worse than the hardness of the heart, based on the kind of comments you're making, and that is softness of the head.

**Dr. Swann:** Three years this man waited for investigations. He still has no explanation of why his water exploded.

Mr. Speaker, the Minister of Environment has not met the mark in protecting our most vital resource.

**The Speaker:** Hon. member, I appreciate that there's a synergy that goes on in here, and I also appreciate that there's emotion, but it's question period. Let's get to the question, okay?

2:10

**Dr. Swann:** I ask the Minister of Environment to resign.

**Mr. Boutilier:** Not on your life, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-East, followed by the hon. Member for Calgary-Varsity.

#### Persons with Developmental Disabilities Program

**Mr. Amery:** Thank you, Mr. Speaker. Recently I have had many constituents visiting my office to talk about the services their loved ones receive from the community-based programs funded by PDD boards. Even though they are satisfied with the quality of the programs they and their loved ones receive, they are concerned that the recent increase in funding will not enable these programs to maintain these services at current levels. My question today is to the hon. Minister of Seniors and Community Supports. Is the minister committed to ensuring that funding levels are maintained at adequate levels to ensure that there are no cuts to community services of PDD programs?

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

**Mrs. Fritz:** Well, thank you, Mr. Speaker. I agree with the hon. member because I know, too, how important this program is, and I have been paying close attention to the concerns of the people in the community. There is substantial funding in the PDD program, and I am committed. The hon. member has asked that. I am committed

to ensuring that the substantial funding remains in place for the services, but I want to tell you how. This is a top priority for my ministry and there are two ways. One is the bill that we have here in this session, which I hope will pass soon and be proclaimed, and that legislation will change the governance, and it will also change the way that the program is administered. Along with that, I am currently reviewing the funding and the eight steps the funding goes through before it reaches the individual in the community. I believe there is a disconnect there. I will find that. I expect to have answers within the next two months, the next eight weeks, and I hope that satisfies this member.

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

**Mr. Amery:** Thank you, Mr. Speaker. My only supplemental to the same minister: will the minister commit to monitoring the funding situation closely and make sure to address any shortfall in funding to these community groups which negatively impacts services provided to recipients? If she doesn't, will she resign?

**Mrs. Fritz:** Well, I can't even believe you said that.

Mr. Speaker, in all seriousness this is very important, about communication with the community. I can assure the member that I have met with the regional boards, the regional board chairs in the past two weeks. I've also met with the regional CEOs. We've discussed the monitoring, the accountability. I am meeting with the families, with caregivers out in the community, and even this Friday I'm meeting at the Disability Action Hall in Calgary, and we are discussing this very issue. This member is more than welcome to be there, and I will be there.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Lacombe-Ponoka.

#### Provincial Campgrounds

**Mr. Chase:** Thank you, Mr. Speaker. I'm sure that the Minister of Community Development would agree that this weekend officially kicks off the 2006 camping season. Where we may disagree is on the ability of the park system to keep Albertans healthy, happy, and safe over the long weekend. My questions are all to the Minister of Community Development. How many conservation officers, permanent and seasonal, will be on duty this long weekend to ensure that Albertans have a safe visit to our approximately 500 parks and protected areas?

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

**Mr. Ducharme:** Thank you, Mr. Speaker. There are 278 permanent park staff, and in the summer we nearly double that number, by another 300. Of those, there are 68 permanent conservation officers and 91 seasonal for a total of 159 conservation officers during the summer seasons. Two hundred and seventy of our parks have camping facilities; therefore, that gives us approximately one conservation officer for every two parks.

If I may, Mr. Speaker, the conservation officers are responsible for public safety, resource management, heritage appreciation, park administration, and enforcement of the various legislation that we have. Our interpretive staff manage heritage appreciation activities, including interpretive programming such as special events, guided walks, publications, environmental education, and public inquiries and complaints.

Mr. Speaker, our goal is to ensure that Alberta's provincial parks are safe and enjoyable for families.

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

**Mr. Chase:** Yes. Thank you very much. I very much appreciate the minister's response to the questions I sent to him previously.

Given that two popular campgrounds, Miquelon Lake and English Bay, will be closed this weekend, has the minister evaluated which nearby parks are expected to take displaced visitors, and if so, what steps were taken to plan for these extra displaced people?

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

**Mr. Ducharme:** Thank you, Mr. Speaker. I thank the hon. member for asking this question. Just to reinforce again that at Miquelon Lake provincial park there will be approximately \$5 million of upgrading that will be taking place this summer to make our camping experiences that much more enjoyable for Albertans and visitors to this province. There will also be approximately \$700,000 in upgrades that will occur at English Bay this summer at Cold Lake. There was a public service announcement that was released on May 16 advising Albertans of this, and there are certainly opportunities in the surrounding areas where other camp facilities will be available for them to go out and camp this weekend.

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

**Mr. Chase:** Thank you. My final question to the Minister of Community Development: now that Wal-Mart is officially sponsoring Alberta's park system, can the minister confirm whether there will be greeters in blue vests and yellow buttons welcoming campers to Alberta's parks this weekend?

**Mr. Ducharme:** Mr. Speaker, I think the situation in regard to Wal-Mart has been a little bit exaggerated. I can tell you that we do have a brochure that goes out advertising the campgrounds that we have available in our province, and that is done through various groups that take advertising space. Wal-Mart happens to be one of those. They also have links that have been established to our Gateway website that people have been able to go through. What we have done is we've informed Wal-Mart that there has been a little bit of negative reaction in regard to them linking themselves to our Gateway website, and we've asked that they redirect their page to describe the environmental initiatives that they do providing funding to Albertans.

**The Speaker:** The hon. Member for Lacombe-Ponoka, followed by the hon. Member for Edmonton-Beverly-Clareview.

#### Postsecondary Education for Rural Students

**Mr. Prins:** Thank you, Mr. Speaker. Recently Alberta jointly launched a new bursary program with the Canada Millennium Scholarship Foundation to enable rural students to pursue postsecondary opportunities. Statistics show that fewer rural students complete postsecondary studies compared to their urban counterparts. My first question today is to the Minister of Advanced Education. What is the value of this new bursary, and will the bursary make it easier for students to complete a program in Alberta's postsecondary learning system?

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

**Mr. Herard:** Thank you very much, Mr. Speaker. I was greatly honoured this morning to be in Red Deer at Red Deer College along with Mr. Norman Riddell of the millennium foundation to announce the new rural incentive bursary. We know that postsecondary students from rural Alberta face unique challenges when furthering their education. In fact, 15 per cent fewer rural students enrol in postsecondary than urban students. So this bursary will help to assist with these challenges, in turn increasing the number of Albertans from rural communities pursuing and completing postsecondary education. We estimate that about 8,100 Albertans will be eligible to receive this \$1,000 bursary, and we hope that each and every one of these adults will make good use of it.

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

**Mr. Prins:** Thank you. My second question is also directed to the Minister of Advanced Education. Which students will qualify for this rural scholarship?

**Mr. Herard:** Mr. Speaker, this bursary is available to students studying in an approved Canadian institution who are enrolled in their first or second year of a postsecondary program of at least two years' duration. Students applying for the bursary must have attended high school in rural Alberta or lived in rural Alberta for 12 months prior to starting their studies. In addition, to qualify, the students also have to be eligible for at least \$1,000 in student loan assistance.

Thank you.

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

#### 2:20 City Centre Early Education Project

**Mr. Martin:** Thank you, Mr. Speaker. The city centre early education project is an award-winning collaborative effort among seven inner-city Edmonton schools to overcome challenges related to poverty and lack of opportunity. One of their most important successes has been the junior kindergarten program in three of these schools. The program was funded on an interim basis by Children's Services, but the funding will be eliminated for September of this year. The success of this program is well documented, and its jeopardy is a serious reversal for high-needs students. My question is to the Minister of Education. What is the minister prepared to do to save junior kindergarten in the city centre project?

**Mr. Zwodzesky:** Mr. Speaker, I'm not sure if the hon. member is referring to the so-called AISI projects or not, but if he is, it was made very clear to the Edmonton public school board – and he would know this because he may have been there when it started three years ago – that the funding was provided on a one-time basis and that funds that were to be used out of that funding pool were not going to be repetitive in nature. They were not going to recur.

Now, if that's the fund he's referring to, then those particular programs will have to be adjusted for by the school board in its budget by the end of June. Alternatively, they'll have to look for other sources. The nature and extent of our AISI program is that we provide those monies, about \$71 million a year across the province, for specific innovative projects that typically have a beginning, a middle, and an end.

**Mr. Martin:** Well, Mr. Speaker, I'm not talking about the AISI programs. I'm talking about junior kindergarten, which was paid for

by Children's Services, and they're eliminating it. My question is again to the minister. What is the minister prepared to do to save junior kindergarten, specifically junior kindergarten that was financed by Children's Services before?

**Mr. Zwozdesky:** Mr. Speaker, I'm sorry. I apologize to the member. There were some kindergarten programs funded out of AISI as well. At least that's my understanding.

Now, I'm not aware of the particular junior K program specifically that is being referenced here, but I'd be happy to take a look at that and speak with Children's Services and see what it is that the public school board has in mind because this is, after all, a local decision by the local board.

**Mr. Martin:** Well, Mr. Speaker, it's not a local decision if they get the funding cut from the provincial government.

My question again is to the minister. Is the minister prepared to step up? This is well documented that this is doing good work for high-needs students. Is the minister prepared to continue with these programs in the three schools in the city centre project?

**Mr. Zwozdesky:** Well, again, Mr. Speaker, I'm at a disadvantage because I don't know which specific schools are being referenced or which specific programs, but if the member would be so kind as to send me over the information, I'd be happy to take a look at it and see. Maybe something can be done, maybe not. I don't know on what basis Children's Services might have been funding which programs. Was it one-time funding, or was it some pilot funding, or something other than that? I'd be happy to take a look at it.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Leduc-Beaumont-Devon.

#### Applewood Park Community Association

**Mr. Agnihotri:** Thank you, Mr. Speaker. An Alberta Auditor General's report has led to the Ministry of Community Development demanding that the Applewood Park Community Association repay its \$20,000 grant. The minister has asked the Crown's debt collection to collect the money. To the Minister of Restructuring and Government Efficiency: why has the Alberta debt collection taken so long to collect any of the missing Wild Rose funds from the Applewood community?

**Mr. Ouellette:** Well, Mr. Speaker, it's true that Restructuring and Government Efficiency does look after debt collections for the province of Alberta, and I can tell you that the overall success rate of Restructuring and Government Efficiency's Crown debt collection unit is very high. From 2003 to 2004 we went from \$4 million in collections to \$9 million today.

On this particular issue, Mr. Speaker, we have passed this over to Justice because we believe that this case may be going to court. Justice is determining the strength of the case and doing a cost-benefit analysis to determine whether to proceed with this collection or not. Once we hear the advice from Justice, we'll work with Community Development, who will determine whether or not we are going to proceed.

**Mr. Agnihotri:** I don't know when that time will come.

My next supplemental, to the Minister of Justice: why does the government take legal action against Albertans that do not pay their health care premiums yet takes this soft approach to Applewood?

**Mr. Stevens:** Well, Mr. Speaker, as you know, Alberta Justice provides legal services to each of the ministries, and if the ministries ask us for assistance in that regard, we provide it. The hon. minister indicated that he has asked for assistance from my department. That assistance is being provided. I don't know exactly what the current status of it is, but I'm sure that when he receives the advice from Justice, appropriate action will be taken.

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

**Mr. Agnihotri:** Thank you, Mr. Speaker. My next supplemental, to the Minister of Government Services: why is access to information refusing to disclose the Department of Justice's 719 pages of records pertaining to Applewood Park Community Association?

**Mr. VanderBurg:** I have no idea on the particulars of this, and I'll get back to him in writing.

**The Speaker:** The hon. Member for Leduc-Beaumont-Devon, followed by the hon. Member for Edmonton-Glenora.

#### Alberta in Washington, DC

**Mr. Rogers:** Thank you, Mr. Speaker. The Legislature rotunda is featuring many colourful banners depicting Alberta's participation in the Smithsonian's Folklife Festival in Washington, DC, this summer. A number of my constituents were interviewed to be a part of this festival. My question is to the Minister of Community Development. Can he tell us who was selected and how?

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

**Mr. Ducharme:** Thank you, Mr. Speaker. On April 21 I was pleased to announce along with the Minister of International and Intergovernmental Relations the names of approximately 150 Albertans that will be in Washington, DC, at the Smithsonian. These Albertans will showcase urban and cultural diversity. Our creativity, entrepreneurship, and can-do spirit will all be on display. This is a curated event. Participants were chosen by the Smithsonian Institute in consultation with staff from my department. The participants are listed on the April 21 news release or can also be found on our website at [albertaindc.com](http://albertaindc.com).

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

**Mr. Rogers:** Thank you, Mr. Speaker. My only supplemental is to the Minister of International and Intergovernmental Relations. What other activities does the government have planned, and was Alberta's business community given the opportunity to participate?

**Mr. Mar:** Mr. Speaker, we're going to help tell Alberta's story in a lot of different ways at a very, very important place. There are going to be economic forums featuring people speaking in the areas of energy and agriculture, innovation and science. Our postsecondary institutions are going to be featured with a concert at the prestigious Kennedy Center. There will be receptions held by the city of Edmonton, a Stampede breakfast hosted in Washington.

We're going to tell people in Washington about the integration of our ag sectors in both countries, we're going to educate Americans about the largest energy supplier to the United States, and we're going to promote Alberta as a tourism destination. We certainly have involved people from organizations and businesses throughout the province's municipalities. Many of them have come forward to



us, knocking on our door and asking how they can help, how they can participate. As an example, Alberta beef producers are donating Alberta beef. Caterpillar and Finning are donating a giant oil sands truck to be on display at the festival. Suncor is supporting the energy forum. So there's been a great deal of involvement from many different sectors. We've got a great story to tell. We're going to do a great job.

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

### Regulation of the Legal Profession

**Dr. B. Miller:** Thank you, Mr. Speaker. The legal profession in Alberta is extremely important, and it is imperative that lawyers remain independent and impartial. These same values must also apply to the Law Society of Alberta in dealing with public complaints in order to increase public confidence in the justice system. My questions are to the Minister of Justice and Attorney General. Given that transparency and accountability are vital to increase public confidence in the system, how can a system for complaints against lawyers run by lawyers themselves achieve public confidence?

2:30

**Mr. Stevens:** Mr. Speaker, the Law Society of Alberta is a self-governing body. It is pursuant to an act of this Legislature. Indeed, from my observation in the few years I've been here, this is a trend we have, that there are more self-governing bodies. My recollection is that the benchers, who are the group that are elected by the lawyers, ultimately include among them lay benchers who are put there by appointment. These are people who are not lawyers but who participate as full benchers along with the other benchers. My memory is that they participate in the discipline hearings. The discipline hearings are also, to my understanding, very public if, in fact, they proceed to a discipline. The process itself is one where a complaint is made. If there is some substance to the complaint upon initial review, it goes to a hearing. If there is not, it ends at that time. If it goes to a hearing, it is a matter of public record. I know of nothing that is more transparent than something that is done in public.

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

**Dr. B. Miller:** Thank you, Mr. Speaker. Just one supplemental question: given that reform of the legal profession from professional self-regulation to a more open and transparent system has been conducted in the United Kingdom – and I'll table the Sir David Clementi report later; good summer reading, by the way – will the minister commit to a similar review of the Legal Profession Act in Alberta to make the system more responsive to public concerns?

**Mr. Stevens:** Well, Mr. Speaker, I am familiar with the Clementi report, and I think the hon. member, if he was in fact holding up what he is going to file, is not going to be filing the entire report because when I got it, it was a full binder as opposed to just part of a binder.

Nonetheless, the fact is that the United Kingdom has in fact approached this in a different manner. There's absolutely no doubt about that. But I can tell you, on the basis of the information I have, that the circumstances we currently have in Alberta – indeed probably across Canada but certainly in Alberta – are different than the circumstances that were present in the U.K. when this particular

matter went forward with the Clementi report and the changes following.

**The Speaker:** Hon. member, that's fine?

Then the hon. Member for Strathcona.

### Accessible Outdoor Recreation Facilities

**Mr. Lougheed:** Thank you, Mr. Speaker. Many Albertans have asked about the status of Blue Lake centre, located in William A. Switzer provincial park near Hinton. They believe that the Blue Lake centre would make an excellent location for a fully accessible facility similar to William Watson Lodge in Kananaskis Country. My questions are to the Minister of Community Development. Has the ministry assessed the demand for an accessible facility more easily reached by residents of northern or central Alberta?

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

**Mr. Ducharme:** Thank you, Mr. Speaker. The Blue Lake centre offers significant opportunities for a wide variety of outdoor activities. The Alberta government has retained a consultant to investigate future options for the Blue Lake centre, including the possibility of a facility for persons with disabilities. We've also received indication from the disability association that converting the Blue Lake centre into a disability accessible facility would be encouraged. Once we've reviewed the consultant's report, we'll have a much clearer picture of what we have to do forward in order to meet all these needs.

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

**Mr. Lougheed:** Thank you. It's complete.

### Vignettes from the Assembly's History

**The Speaker:** Hon. members, shortly I'll call upon the first of six to participate in Members' Statements today, but a historical vignette. [interjection] I want to put a disclaimer on what happened yesterday. I had nothing to do with that. Nothing to do with that.

Back to the business today. Four hundred and fifty candidates from nine different political parties contested the November 22, 2004, Alberta election. Prior to the implementation of the Election Finances and Contributions Disclosure Act of 1978 candidates could run under any banner that they chose. Starting January 1, 1978, political parties and independent candidates were required to provide appropriate registration information to Elections Alberta. This registration information has to be in place before a candidate's nomination papers are accepted and the candidate is allowed to participate in the election.

In Alberta's electoral history 62 different political affiliations or parties have had candidates run in our elections or by-elections. In our first election, held on November 9, 1905, the political affiliations or parties were Conservative, Liberal, and Independent with a capital I. In the election held November 22, 2004, the political affiliations or parties were – and there are currently nine registered political parties in Alberta – the Alberta Alliance Party, the Alberta Greens, the Alberta Liberal Party, the Alberta New Democrats, the Alberta Party, the Alberta Social Credit Party, the Communist Party of Alberta, the Progressive Conservative Association of Alberta, and the Separation Party of Alberta.

During the Social Credit era coalitions between Liberals and Conservatives were created in an attempt to defeat the government. These coalitions failed, and failed miserably. In the 1955 provincial

election the Liberal Conservative political affiliation received only 1.1 per cent of the vote. In the 1963 provincial election the Conservative-Liberal affiliation received .3 per cent of the vote, and in the 1967 election the Liberal/Progressive Conservative Coalition received only .1 per cent of the vote. The support for candidates running under the Conservative banner or Liberal banner fared much better in these three elections.

In terms of political affiliation or party identification the name "Liberal" was not to be used by any candidate in the 1944 election whereas the name "Conservative" was not to be used by any candidate in the elections of 1940, 1944, and 1948. Liberal and Conservative candidates have run in all other Alberta elections.

The New Democratic Party name was used for the first time in the 1963 general election. The Alliance Party of Alberta name was used for the first time in the election of 1993. The Conservative and Liberal names were used for the first time in 1905.

In 30 seconds I'll call upon the hon. Member for Calgary-East.

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

[Unanimous consent granted]

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

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

**Ms Evans:** Thank you, Mr. Speaker. It's my great hope and great pleasure that the gentlemen I wish to introduce today are present in the Assembly. Mr. Peter Snyder from Allentown, Pennsylvania, is with us. He's with Air Products, and they have just completed a plant in Strathcona county and have received permission to construct a second facility. Accompanying him today is Mr. Ian Murray of Edmonton. The great enthusiasm they display for locating Air Products in Strathcona and in Alberta is indication that Air Products, as the world's largest supplier of third-party hydrogen, has recognized the advantage of locating in Alberta as the best place in North America to do business. I'd ask them to please rise and receive the warm applause of our members. At least one is still here.

Thank you.

head: **Members' Statements**

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

#### **Calgary Police and Community Interactive Fair**

**Mr. Amery:** Thank you, Mr. Speaker. It was a great pleasure for me last weekend to attend the police and community interactive fair. The purpose of the police and community interactive fair is to heighten the awareness for residents within district 4 about the various policing, community services, and available programs.

Mr. Speaker, the event was organized by Sergeant Gord Renke of the Calgary Police Service, and he put together an outstanding list of community organizations that are committed to serving the citizens of northeast Calgary. Some of the organizations that attended this weekend's event were the Parent Link Centre, Patch project, northeast Crime Stoppers, Block Parents, Greater Forest Lawn Seniors, Rainbow Lodge transitional housing society, youth alternative programs, Wal-Mart Walk for Miracles, the CHR, Sunrise community link, Wood's Homes, Families Matter, Calgary Family Services, and the city of Calgary. They all participated and on a daily basis work in my constituency and in many others to provide programs and services to people from all walks of life.

2:40

Mr. Speaker, while it's not possible to mention all of the great things each of these organizations do, I would like to recognize them and make the Assembly aware and all of my constituents aware that these programs are available for them to make use of. They can contact my office any time to get information on these valuable services provided to the community.

Thank you, Mr. Speaker.

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

#### **Tribute to Fathers**

**Ms DeLong:** Thank you very much, Mr. Speaker. I'm pleased to stand today in recognition of Father's Day. While Father's Day will not be taking place until the third Sunday in June, June 18 this year, I would like to take this opportunity to acknowledge the importance of our fathers a little bit early. We recognized Mother's Day in the Legislature last week, so I think our dads deserve the same recognition.

Father's Day offers us a wonderful opportunity to celebrate fatherhood and honour our fathers. It's a time to recognize the important roles that our fathers play in our lives and the lives of our families. Fathers are vital. The benefits of engaged fathers are obvious. Children are healthier, happier, and more productive when their fathers are active in their lives. Kids do better in school, are less likely to drink or use drugs, and are less likely to be involved with delinquent behaviour. The inverse, unfortunately, is also true. When a father is absent from a child's life, there's an increased likelihood of behavioural problems, depression, and health issues. Simply put, children are generally better off when both parents play an active role in their lives.

Mr. Speaker, children learn a great deal from their fathers. Dads play a vital role in the development, growth, and maturation of their children. Fathers teach their children how to play, how to learn, and how to work. They are there for wisdom, advice, and affection. Father's Day offers us a chance to let our dads know just how much we love them and how important they are to us and to remember our dads who have passed on.

I would like to acknowledge this important day a little early this year and wish dads across Alberta a happy Father's Day. Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Foothills-Rocky View.

#### **Bow Habitat Station Aquatic Ecopark**

**Dr. Morton:** Thank you, Mr. Speaker. This past weekend plans were unveiled for Alberta's first aquatic ecopark, the Bow Habitat Station. Over 4,000 Albertans participated in the Wild Thing celebration organized by Alberta fish and wildlife and the Livingston Fish Hatchery.

The Bow Habitat Station, scheduled to open in the spring of 2007, will include displays and interactive exhibits that will help teach visitors and students how everything in our environment relates back to freshwater. The Bow Habitat Station will be a world-class visitor centre. It's located in the heart of the city of Calgary and is sort of an oasis surrounded by the city's major transportation thoroughfares. It includes the Sam Livingston Fish Hatchery and the Pearce Estate Interpretive Wetland. It is expected to attract 100,000 visitors and students each year.

This \$20 million project is made possible through a partnership between government, industry, and stakeholders. Together the government of Alberta and more than 100 businesses, corporations,

nonprofit organizations, and granting agencies from across Canada have contributed to this project. Major partners and exhibit sponsors include the city of Calgary, BP Canada Energy Company, Ducks Unlimited Canada, HSBC Bank Canada, and the Sam Livingston Fish Hatchery Volunteer Society.

The long-term vision of the Bow Habitat Station is to promote awareness of the connections between water and the rest of our environment and to encourage Albertans and visitors to discover what each of us can do to sustain the province's natural resources for future generations.

Thank you, Mr. Speaker.

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

### Go Oilers Go!

**Mr. Bonko:** Thank you, Mr. Speaker. I rise today to talk about team spirit, spirit that is growing in numbers and in followers. This spirit has not only gripped the hearts of the young and old but that of a city, not just any city but the City of Champions, home to the Edmonton Oilers, five-time Stanley Cup champions.

Once again Edmonton has the opportunity to advance to the western conference final in front of the loudest crowd in the National Hockey League. You need only look around to see how much support is behind the Oilers. Flags fly on almost every vehicle, posters on windows and doors. This town is alive with passion about the team, the Oilers.

Tonight an entire city, province, and country will be watching as the Oilers are the last remaining Canadian team in their quest for the holy grail of hockey. Tonight the victory will be on the steps of the Oilers, one step closer to that particular piece, and shark bait will be on the tables in the restaurants.

Go, Oilers, go.

**The Speaker:** And some people still have their game beard on. It's my sincere hope that all Members of the Legislative Assembly will be able to watch all of the hockey game this evening.

The hon. Member for Calgary-Varsity.

### Calgary Meals on Wheels

**Mr. Chase:** Thank you, Mr. Speaker. On November 30, 1965, Calgary Church Women's Community Care was incorporated, and in 1976 the name was officially changed to Calgary Meals on Wheels. In addition to the United Church the Anglican, Baptist, Catholic, and Presbyterian churches supported the movement while interested volunteers and service clubs answered the call for help and proved to be the backbone of the fledgling organization. The United Way and the city of Calgary have also played a vital role in the success of this social service. At this year's Cuisine et Concours d'Élégance fundraiser last Saturday night at the Roundup Centre the Ismaili community, a silver cloud sponsor, teamed up to announce a very special 2006 Stampede parade float project that will highlight for millions of viewers the significant community contributions of Calgary Meals on Wheels.

From January to December of 2005 Meals on Wheels delivered some 400,000 meals, 1,650 meals per day, to clients at their place of residence, enabling them to stay at home, to retain their autonomy and dignity, and to receive fresh, nutritious food. Meals to these seniors, convalescents, veterans, and persons with disabilities consist of one hot meal, one cold meal with a heat-up soup, and snack. Fifty-two per cent of the meals are special diets. In addition, Meals on Wheels delivers 215 bag lunches daily for the working homeless at the Drop-in Centre.

Through its duck soup program 960 servings of hot, hearty soup

lunches were delivered to seven high-risk elementary schools twice weekly to some 600 children, who, as noted by their teachers, would not have a meal due to living conditions, financial conditions, and/or social circumstances. Seventeen schools are currently on the waiting list for this donor-based service.

Meals on Wheels offers culturally appropriate meals through its chopsticks on wheels and reaches further out into the Calgary community with programs like food and fellowship, food and caring, as well as offering five-pack magic meals.

Unfortunately, the growing demand for services is far outstripping Meals on Wheels' kitchen capacity. Therefore, a new facility is desperately needed to carry on the 41-year tradition of outstanding outreach. Hopefully, the Alberta government will recognize Meals on Wheels' history of giving and provide sustainable financial support to help keep this program on the road.

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

### Calgary-Fort Constituency Decennial

**Mr. Cao:** Well, thank you, Mr. Speaker. Today I rise to speak about the great constituency of Calgary-Fort on the 10th anniversary of its creation. Due to the fast population growth in Calgary the constituency of Calgary-Fort was created in 1996. Its name was based on the historical landmark in the riding, Fort Calgary, which is the birthplace of the city of Calgary. The Calgary-Fort constituency now includes the hard-working residents in the communities of Inglewood, Dover, Forest Lawn, Erin Woods, Millican, and Ogden. It covers the largest manufacturing and industrial park in Calgary, from which products and services are exported to the world and other parts of Canada.

The residents and businesses of the Calgary-Fort constituency have been contributing a great deal to the robust economy of Alberta. The two main rivers of Calgary meander through the riding of Calgary-Fort, which is also the source of the irrigation system that brings abundant agricultural life to the district east of Calgary.

Mr. Speaker, in 1996 I had the honour of being nominated as the PC candidate for the riding of Calgary-Fort, and the following election I had the honour of becoming the first MLA for the riding. Hard work is just part of it. The electoral successes are thanks to the great team of the Calgary-Fort constituency. My constituents are very smart in their choice of support and decisions.

Mr. Speaker, I can go on with hundreds of names of people who are my respectful constituents and dear friends and strong supporters. For the last 10 years I can say with confidence that we have worked very well to establish a tradition of political integrity and honesty in the Calgary-Fort riding.

On the anniversary of this occasion, representing my constituents I want to express our sincere thanks to Premier Klein for his dedicated public service to bring outstanding success to the province, the city, and the constituency. Our constituents wish the Premier all the best in his next, deserving chapter of life.

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

[Unanimous consent granted]

head: 2:50

### Introduction of Guests (reversion)

**The Speaker:** The hon. Member for Cardston-Taber-Warner.

**Mr. Hinman:** Thank you, Mr. Speaker. It is truly a privilege to introduce to you and through you 47 concerned and dedicated

citizens from the Clear Hills area. They've travelled over six hours to share their concerns and are thankful for the guidance that they have received from the hon. Minister of Agriculture, Food and Rural Development and hope to be able to continue to protect their quality of life and their community camaraderie. I'd ask my guests to please rise and receive the traditional warm welcome of this Assembly.

head: **Presenting Petitions**

**The Speaker:** The hon. Member for Edmonton-Rutherford, then Edmonton-Centre, then Calgary-Currie.

**Mr. R. Miller:** Thank you very much, Mr. Speaker. My pleasure to rise this afternoon and present a petition on behalf of 197 Albertans from various communities: Grande Prairie, Sexsmith, Edmonton, Calgary, and many, many others. This petition urges the government of Alberta to abandon its plans to implement the third-way health care reforms. I think it's been read into the record many times, so I don't have to read the entire thing.

Thank you.

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

**Mr. Taylor:** Thank you, Mr. Speaker. I rise to submit a petition with 103 signatures of Calgarians urging the government of Alberta to abandon its plans to implement the third-way health care reforms.

Thank you, Mr. Speaker.

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

**Ms Blakeman:** Thank you so much, Mr. Speaker. I'd like to present almost 4,000 more signatures, 3,921, which is bringing the total petitions against the third way that the Liberal opposition has presented to over 20,000 signatures.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Martin:** Thank you, Mr. Speaker. I'd like to table a petition sponsored by the Alberta Social Credit Party. It has 1,058 signatures. The petition calls for the Assembly to urge the government to "introduce legislation to increase Alberta's share of oil and gas revenues to pay yearly dividends to Albertans."

Thank you.

**The Speaker:** Hon. members, I talked about Liberal/Conservative coalitions, but never in the history of Alberta have I ever found anything that suggests a Social Credit/New Democratic Party coalition. This is another historic first.

**Mr. Flaherty:** I'd like to table a petition from 116 people from across Alberta regarding the third way.

Thank you, Mr. Speaker.

head: **Tabling Returns and Reports**

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

**Mrs. Mather:** Thank you, Mr. Speaker. I have the appropriate number of copies of a petition from 40 residents of Grande Prairie, electors of the Peace River constituency, to the House of Commons, requesting that the federal government "provide the provinces/territories with annual funds of at least \$1.2 billion to build a high quality, accessible, affordable, community-based child care system."

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

**Mr. Taylor:** Thank you, Mr. Speaker. It's my pleasure to rise today and present the required number of copies of a letter from a constituent of mine, Barbara McNamara, a parent at the Western Canada high school, urging the provincial government to get on with the reconstruction or modernization of the Western Canada high school, which was built in 1928 and increasingly, as she says, consumes more time, energy, and school budget on behalf of the administrative and custodial staffs patching roofs that leak, asbestos ceilings that have been damaged, and so on.

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

**Dr. B. Miller:** Thank you, Mr. Speaker. I'd like to table five copies of the report I referred to during question period, Review of the Regulatory Framework for Legal Services in England and Wales, the report of Sir David Clementi.

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

**Dr. Pannu:** Thank you, Mr. Speaker. I have two tablings today, two documents that resulted from a meeting and correspondence between the parent council representative from Strathcona composite high school in my constituency and my meeting this morning with that representative, Mrs. Glynis Dorey. I received a letter from her last week in which she drew my attention for the first time to a shocking problem at the composite high school with respect to health safety related to heating problems in the school. That problem was in fact identified by Alberta Infrastructure in '99 but has not received the attention that it needs. She's sitting in the public gallery and would like me to draw the attention of the House to this very serious problem.

Thank you.

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

**Mr. Elsalhy:** Thank you, Mr. Speaker. I'm tabling the requisite number of copies of a letter that was sent to me by 17 land agents and interim land agents dated April 12, 2006, all of whom are stating their opposition to any consideration of the removal of section 1(c)(ii) of the Land Agents Licensing Act. They're questioning why our government would want to undermine the requirement currently in place that requires land agents to have certain qualifications before they're able to represent their clients. The names are Matt Martel, Leon McNamara, Darcy Harty, Phil Becker, Darrell Goruk, Elliott Friedrich, Jason Svenningsen, Tyson Zack, Diane Perrin, Harold Lema, Ron Bodnar, Bernie Tchir, Dennis Worobec, Joey Andries, Dennis Cochrane, Ken Curley, and Wade Pruett.

Thank you, Mr. Speaker.

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

**Mr. Bonko:** Thank you, Mr. Speaker. I have five tablings here of photos that show the environmental impact of careless off-road driving and random camping in the Willow Creek forestry area. I'm submitting these on behalf of Sheena Reid of Nanton, Alberta, which further highlights the need for a land-use policy in these areas.

**The Speaker:** The hon. Deputy Premier.

**Mrs. McClellan:** Mr. Speaker, I'm pleased today to table five copies of a response document to Written Question 14 as asked by the hon. Member for Edmonton-Rutherford.

Additionally, Mr. Speaker, I'm tabling responses to questions raised during Finance's estimates on May 10. The members to whom the responses are addressed received a copy in their offices this morning.

Additionally, I'm tabling the annual reports of the provincial judges and masters in chambers pension plan for the fiscal years ending March 31, 2004, and March 31, 2005, as required by legislation.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Minister of Municipal Affairs.

**Mr. Renner:** Thank you, Mr. Speaker. I would like to table copies of letters that I sent to the Leader of the Opposition as well as to the Member for Edmonton-Beverly-Clareview answering questions that were left outstanding following Committee of Supply for Municipal Affairs held on April 11.

**The Speaker:** The hon. Minister of Aboriginal Affairs and Northern Development.

**Ms Calahasen:** Thank you, Mr. Speaker. Today I'm pleased to table the appropriate number of copies of responses that I made a commitment to during estimates, that I would make sure that we addressed the concerns if I didn't address them in my answers. I also sent copies to those members who I didn't answer.

**The Speaker:** The hon. Minister of Agriculture, Food and Rural Development.

**Mr. Horner:** Thank you, Mr. Speaker. I'm pleased to rise to table the required five copies of the 32nd annual report of the office of the Farmers' Advocate of Alberta. The report reflects the past 16 months as the agency has changed its reporting period to align with the Ministry of Agriculture, Food and Rural Development. Highlights include the details on 1,500-plus client inquiries, 19 water well hearings, eight wildfire hearings, two Farm Implement Board hearings, and the increase of 84,000 additional hits to their online obsolete parts directory. The increased energy activity and changing dynamics of rural Alberta have led the agency to pursue a renewal initiative, which is covered in the report.

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

3:00

**Mr. Lougheed:** Thank you, Mr. Speaker. It's my pleasure to file a petition from staff and students from Next Step outreach school in Sherwood Park. They're asking for concerted government action to address the reported rise in teen smoking in Alberta.

Also, I would like to table five copies of the Premier's Council on the Status of Persons with Disabilities annual report 2004-2005.

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

**Mr. R. Miller:** Thank you very much, Mr. Speaker. I'd like to thank the Finance minister for her very rapid response to the questions that were asked in supply last week.

Mr. Speaker, I have several tablings this afternoon. The first is two separate reports that were prepared by Kathryn Burke on behalf of community workshop participants in relation to children who suffer with learning challenges. Both reports were prepared in response to an EPSB review of programming for children with learning disabilities. They were completed on a volunteer basis. The workshop report represents the collective voice of 48 stake-

holders, and the survey report represents the collective voice of 102 parents.

Also, Mr. Speaker, I have a letter from a constituent, Art Dyer, who is a retired Alberta civil servant and is very concerned about two aspects of Bill 20: that, in fact, they serve to erode the fundamental principles that the act was founded on, namely public business should be done in public, and his main concern specifically is the 15-year blanket thrown over internal audits.

Another concern is being expressed by a constituent, Butch Whiteman, regarding Bill 20, and this is actually a copy of a letter that he sent to the Premier of the province of Alberta. He indicates that he feels that "Bill 20 is something that should not even be given a second thought let alone be sanctioned as progressive legislation and passed in this legislature."

Thank you.

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

**Mr. Eggen:** Thank you, Mr. Speaker. I would like to table the appropriate number of copies of a letter which details 20 farm-related deaths in Alberta last year, marking an unacceptable upward trend for farm fatalities in the province in recent years.

Thank you.

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. On behalf of the hon. Mr. Ducharme, Minister of Community Development, response to Written Question 16, asked for by Mr. Miller on behalf of Mr. Agnihotri on May 8, 2006.

On behalf of the hon. Mrs. Fritz, Minister of Seniors and Community Supports, pursuant to the Persons with Developmental Disabilities Community Governance Act the Persons with Developmental Disabilities Alberta Provincial Board annual report 2004-2005.

On behalf of the hon. Mr. Stevens, Minister of Justice and Attorney General, responses to questions raised by Dr. Miller, hon. Member for Edmonton-Glenora, on May 3, 2006, the Department of Justice and Attorney General main estimates, 2006-07, Committee of Supply debate.

Responses to questions raised by Dr. Pannu, hon. Member for Edmonton-Strathcona, on May 3, 2006, Department of Justice and Attorney General main estimates, 2006-07, Committee of Supply debate.

On behalf of the hon. Mr. Melchin, Minister of Energy, response to Written Question 19, asked for by Mr. MacDonald on May 15, 2006.

**Speaker's Ruling  
Member's Apology**

**The Speaker:** Hon. members, last evening, late in the evening in committee and during debate, an hon. member used certain words in the House. Today I would like to offer that hon. member, the hon. Member for Edmonton-Manning, an opportunity to hopefully retract and apologize for the usage of those words.

The hon. Member for Edmonton-Manning.

**Mr. Backs:** Thank you, Mr. Speaker. In all humility, sincerity, and with a sense of contrition I rise to withdraw three words, namely Nazism, fascism, and Stalinism or any variance, which were mentioned in debates last night around 11 o'clock. These words are unparliamentary. I sincerely apologize if any member took these to mean practices which were committed by any enemy force or government in the Second World War.

My extended family was severely affected by that war. Some were lost in the defence of our country and great democracy. Some were lost fighting for our armed forces. Some were subjected to terrible times in the Netherlands and fought there or suffered there as well. I do understand those feelings, and I know that they do not subside over the decades. We do remember. That inference was not intended, and if any member felt that, I must say that this was not the intent, and I sincerely apologize.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, hon. member. That concludes that matter.

head: **Orders of the Day**

head: **Government Motions**

**Time Allocation on Bill 20**

20. Mr. Zwozdesky moved:

Be it resolved that when an adjourned debate on third reading of Bill 20, Freedom of Information and Protection of Privacy Amendment Act, 2006, is resumed, not more than one hour shall be allotted to any further consideration at this stage of the bill, at which time every question necessary for the disposal of this stage of the bill shall be put forthwith.

**Mr. Zwozdesky:** Mr. Speaker, I wonder if I could have permission to exercise my five minutes of explanation.

**The Speaker:** Proceed.

**Mr. Zwozdesky:** I believe I indicated yesterday, but I'd like to just reiterate today that time allocation motions are very rarely used by our government. In fact, they were not used at all last year, nor were they used at all in the year before. Over the last five years I think only four or five bills have had time allocations ever put on them for just and reasonable cause. Nonetheless, I want to reiterate, too, that Bill 20 has now come up 10 times for debate in this House since March 14.

Now, why does it sometimes become necessary for a government to bring in a time allocation or a closure-type motion? Typically, Mr. Speaker, as most members here would know, it happens because of the clock, so to speak, having moved on and a number of repetitive debates starting up, perhaps some redundancy starting up, perhaps in some cases even some irrelevancies coming up.

No one that I know really likes to use a time allocation motion to bring an end to a discussion. However, in the same vein that one of opposition's tools is the legislative power to speak virtually endlessly to a bill at committee, so, too, is it one of government's tools to use responsibly and to exercise good and sound judgment when sufficient time, in the opinion of the government, has taken place for the debate on any particular bill. Mr. Speaker, I would submit that with respect to Bill 20 that time has now come.

With about 10 hours or so of debate and/or question period time consumed on this one bill or on FOIP issues in general, it's important to note that rarely does any bill receive more than about an hour and a half to two hours of debate unless there's something really controversial, obviously. So 10 hours, or five times more than the two-hour general practice that I just mentioned, is certainly enough and ample time for members to have voiced their opinions. In addition to that, we've also, I think, received and debated approximately five amendments.

I might add, Mr. Speaker, that we have met in this House on 41 afternoons. We have met in this House as well on 27 evenings during this spring session so far. That's 68 times. During those

times that we have convened in this House, at least 10 of those times we have referenced debate on this particular Bill 20, so it has come up a number of times.

With that, I would also just conclude by saying that I think every opposition member has now spoken to Bill 20 with the exception, I think, of the leader of the Liberal opposition, who still has an opportunity, obviously, this afternoon, and several government members have also spoken now to Bill 20 in debate or perhaps in response to questions in question period.

I will just conclude, then, by saying that the time has come to now resolve the final vote on Bill 20. With that in mind, I'm looking for the support of the House for the motion so that we can conclude this matter of business this afternoon with one final hour of exhilarating debate.

Thank you.

3:10

**The Speaker:** Under Standing Order 21(3) I'll now call on the hon. Member for Edmonton-Decore.

**Mr. Bonko:** Thank you, Mr. Speaker. The Minister of Education spoke about how many times, in fact, to his memory they have used the time allocation to put closure on the debate in this House. Well, from the years 1992 to 2005 that has been exercised 32 times to force closure – and I'll use that word “force” – on a democratic process in this House.

In the Speech from the Throne this government assured people that transparency and accountability first and foremost will be used to address Albertans' concerns. They wanted to be the government that was leading the way in this particular act. So far, when they put in something like this, this couldn't be any further from the truth.

Mr. Speaker, when we adjourn on Thursday afternoon and Friday and through the weekends to be able to touch base with our constituents, Bill 20 is becoming more and more relevant in the coffee shops or in the homes, in the newspapers because Albertans are just starting to wake up as to what is actually happening in this Legislature. Secrecy is now becoming more and more of a topic in the homes and on the doorsteps of Albertans. They're becoming concerned, and because they're becoming concerned, I think that this is unfortunate that we are only allowing another 60 minutes to take place.

You have immigrants coming to Alberta from other countries, wherever they may be, who in fact are trying to flee this sort of undemocratic way. I'll use my words carefully, noting debate . . .

**An Hon. Member:** Yeah, I hope so.

**Mr. Bonko:** Listen, that's enough of that already.

. . . noting the debate of last night. I know that people are tired, people are wanting to get out of this House, but unfortunately there's a lot of work that still needs to take place.

This is a legacy that needs to be talked about. It's the legacy of one person, perhaps the Premier. Only at this time has this ever come into effect. Other Premiers have had this open and transparent and accountable attitude. Now one Premier comes in, and suddenly we have FOIP. We have more and more secrecy because the individual says that they do not want anyone to have that type of record. They don't want speaking notes; they want briefing notes.

Well, it's not just for the opposition. It's for all Albertans to ensure that this government remains accountable and transparent and answerable, above all things, to those that elect them. It's the Albertans, the 3,500,000 Albertans that reside in Alberta. There are more and more that are coming all the time, and they, in fact, expect their government to act honourably. They expect their government

to act with integrity. When you put through a motion that adjourns debate, that ends the ability for opposition and Albertans to have an opportunity to speak to something that is near and dear to their hearts, which is basically democracy, then there is no democracy that remains.

**Mr. Elsalhy:** What signal are we sending?

**Mr. Bonko:** Yeah, exactly. What signal are we sending, Mr. Speaker? That we want to remain more and more secret.

It came out in a poll a little while ago that people do not trust politicians. They came behind used-car salesmen. I shudder to think, but the fact remains that that was the poll. This leads exactly to that particular point. If we're hiding something, then why are we hiding something? It's censorship right through and through. The fact remains that Albertans deserve answers regardless of who is asking. That is a democratic right. That is the ability that we all, in fact, have.

The Member for Edmonton-Manning talked about democracy and how only 60 years ago people fought for that right. This is exactly the right that we're debating here this afternoon. We debated evenings, 4 o'clock in the morning, 2 o'clock in the morning for the right to have that democratic process continue. When you're invoking closure due to time limits or people being tired, 10 hours, 20 hours: who's to say it was too long? If we're prepared to sit here and talk about it, then obviously we still want to have the ability and the time to discuss the concerns of the citizens that we represent. It limits freedom of speech. It limits democracy, which is all the more reason why we need more opposition in Alberta to continue to ensure that accountability remains. Now, I know there are only 16 elected Liberals, and there are four NDs and an Alliance, but that's certainly not enough, so the next election I think people will certainly be considering as to where they're going to mark their X along the ballots. Are they going to mark for democracy, or are they going to mark for a dictatorship, which is apparently what's happening here?

Mr. Speaker, I would seek unanimous consent to waive Standing Order 32(2) to shorten the division bells from 10 minutes to two minutes this afternoon should a standing vote be triggered.

**The Speaker:** Well, hon. member, before that, we have some business we have to conduct. We have to deal with this particular motion, and I have to call the question.

[The voice vote indicated that Government Motion 20 carried]

[Several members rose calling for a division. The division bell was rung at 3:16 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Amery	Haley	Pham
Boutilier	Herard	Prins
Brown	Horner	Renner
Cao	Jablonski	Shariff
Cardinal	Liepert	Snelgrove
Evans	Lougheed	Stelmach
Forsyth	Mar	Strang
Goudreau	McClellan	VanderBurg
Graydon	McFarland	Zwozdesky
Groeneveld	Oberle	

Against the motion:

Backs	Flaherty	Miller, B.
Blakeman	Hinman	Miller, R.
Bonko	Martin	Pannu
Eggen	Mason	Taylor
Elsalhy	Mather	Tougas

Totals: For – 29 Against – 15

[Government Motion 20 carried]

**The Speaker:** Hon. members, before we move to the next segment and ask the Clerk to identify the first speaker, we have two brief bits of information to deal with.

Hon. Member for Edmonton-Decore, as you were wrapping up your comments on your participation, you asked for consent of the House to reduce the division bells from 10 to two minutes should that be appropriate. I didn't allow the vote because we had a superseding motion. So if you want to proceed now, I'll let you do it, asking the Assembly.

**Mr. Bonko:** Do you just want me to go through the whole thing?

**The Speaker:** No. Just very briefly, unanimous consent.

**Mr. Bonko:** I'm just seeking unanimous consent, then, that if in fact opportunity does arise, we would revert from 10 minutes to two minutes.

**The Speaker:** Okay. All hon. members understand that? Should the opportunity arise for division bells to be rung, the normal time would be reduced from 10 minutes to two minutes.

[Unanimous consent granted]

**The Speaker:** Okay. That's done.

Now the hon. Government House Leader on a point of order.

**Point of Order**

**Parliamentary Language**

**Mr. Zwozdesky:** Thank you, Mr. Speaker. I would cite *Beauchesne* 489 again with respect to unparliamentary words and phrases. Dictatorship as referenced by the hon. Member for Edmonton-Decore I'm sure was an unfortunate slip. I would just ask that he please retract that word from his final comments just before the division bells rang and apologize, and then we'll move on.

Thank you.

**Mr. Bonko:** Mr. Speaker, I would retract the comment of dictatorship, then, if that would be pleasing to the Assembly.

Thank you.

**The Speaker:** Okay. We've heard that. The matter is closed.

head: 3:30 **Government Bills and Orders**  
**Third Reading**

**Bill 20**  
**Freedom of Information and**  
**Protection of Privacy Amendment Act, 2006**

[Adjourned debate May 16: Mrs. Jablonski]

**The Speaker:** Okay. I'm going to call on the hon. Member for Red Deer-North. When she begins, 60 minutes begin.

The hon. Member for Red Deer-North.

**Mrs. Jablonski:** Thank you, Mr. Speaker, for this opportunity to speak to Bill 20, the Freedom of Information and Protection of Privacy Amendment Act, 2006, in third reading. It would be good to know and to remember that this bill proposes eight amendments to the FOIP Act.

Perhaps the most important amendment sets higher penalties for disclosing the personal information of Albertans to a foreign court, a very serious move to protect the privacy of Albertans. If an individual or a corporation discloses personal information pursuant to a subpoena, warrant, or court order when that court does not have jurisdiction in Alberta or pursuant to a court order that is not binding in Alberta, that person would be guilty of an offence and would be subject to a fine of up to \$500,000.

Anyone thinking that this legislation is toothless is not reading this carefully. The FOIP Act itself contains provisions for fines of up to \$10,000 for anyone convicted of trying to abuse the intention of this legislation. It is a top priority of this government to protect the private information of Albertans. Other solutions to address the potential for American authorities to view the private information of Albertans without proper authorization are being explored. Our goal is to ensure that the personal information of Albertans is protected from unauthorized access. The USA PATRIOT Act, which is a very clever acronym that stands for Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism, is of particular concern to this government, Mr. Speaker, but the legislation will apply to any foreign government that seeks to obtain the personal information of Albertans without permission.

A second amendment further enhances the security of Albertans' personal information. Currently the act allows a public body to disclose personal information to comply with a subpoena, warrant, or court order; however, it's not clear which courts this refers to. This amendment makes it clear that a public body may disclose personal information only if ordered to do so by a court with jurisdiction in Alberta or in accordance with a rule of court binding in Alberta. This will make Albertans' information less vulnerable to collection by foreign agencies.

Mr. Speaker, another amendment clarifies the existing limits on access to ministerial briefing materials. This is the only change to a time period limitation and only applies to ministerial briefing binders. The FOIP Act already allows ministers to refuse to disclose advice to ministers without this amendment. This amendment will clarify that briefing books prepared for a new minister and session briefing books for ministers can be disclosed after five years. This information was not available at any time prior to this amendment act. The five-year period was chosen to coincide with the life of a Legislature, which is five years at most.

A third important amendment limits access to working papers relating to an audit by the newly created office of the chief internal auditor of Alberta for 15 years. Fifteen years is the same period of time for other financial records until now, and this hasn't been considered a problem previous to this because the Auditor General has free and timely access to these records. An individual can still make a request for records about a program or service of a ministry but not for records about the internal audit. I will state that again. This information is always available to the Auditor General of Alberta, who does an excellent job of representing the people of Alberta.

Another amendment suspends the processing of an access request while the Information and Privacy Commissioner consults with an applicant on how a public body is handling a FOIP request. This amendment is purely administrative. Since the Privacy Commissioner's consultation takes time, typically a decision comes after the legislated 30-day deadline for a response has expired. Now, the

opposition members have consistently expressed a deep respect for the opinions of the Privacy Commissioner. I would expect that if they respect his opinions in one area, they could respect his decisions in other areas. This amendment would allow the 30-day processing time for a FOIP request to stop while the Privacy Commissioner makes his decision. These requests are rare, reflecting this government's commitment to the openness and transparency of the access to information process.

I would like to repeat a fact that was stated by the hon. Minister of Government Services as I'm sure that some members did not hear this fact the first time it was stated. Of 3,168 FOIP requests received in 2004-05, 94 per cent were completed by government public bodies within 60 days or less, confirming that Albertans have effective and timely access to the information they seek. This represents a significant achievement given that the complexity and number of requests received by government continue to increase annually. Of the 3,168 FOIP requests received in 2004-05, 95 per cent were handled without complaint to the Information and Privacy Commissioner. This demonstrates the success of Alberta Government Services' efforts to support FOIP staff throughout government public bodies. The Information and Privacy Commissioner has said that he would take a dim view if the number of requests for extensions suddenly spiked, a statement that should be respected by all Albertans. The Privacy Commissioner has the ability to order the public body to resume processing the request immediately.

Another amendment in this amendment act will allow newly created government boards and committees to be brought under the FOIP Act more quickly. As I mentioned earlier, protecting the personal information that Albertans entrust to their government and the public bodies under the Freedom of Information and Protection of Privacy Act is a key priority for this government.

Mr. Speaker, costs are not a barrier to gaining access to government information. They are in line with other jurisdictions. Since FOIP legislation was first introduced in 1995, we have collected \$535,000 in fees. That's less than \$50,000 a year. During this same period we have spent \$59.3 million to collect and distribute the requested information. That's more than \$5 million a year in support of transparency and openness.

Administering the act is and will continue to be an important function of the Ministry of Government Services, and I'm proud to have this opportunity to speak to this important piece of legislation.

Now, Mr. Speaker, my colleague from Edmonton-McClung had the opportunity to quote three historical leaders in the last few days. So I, too, would like to quote a well-respected leader, my husband, who always says: happy wife, happy life. This is very good advice. Now I will be happy to take my seat and listen to the comments of others of integrity and honesty in third reading of Bill 20.

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

**Mr. Taylor:** Thank you, Mr. Speaker. I'm not sure how I follow that. Well, with respect to the Speaker, I'll try a vignette of my own. I used to work indirectly with a guy who was in management in radio at another radio station in our company who liked to say that he operated his department on a need-to-know basis: he told his staff everything and let them decide what they needed to know.

Mr. Speaker, we are but a mere province, one of 10 in this federation. We do not have the authority to commit the rest of this country to war or to go to war ourselves, and short of wartime, although I'll give you cold or hot, I can't really think of a reason why you need to keep anything secret for 15 years. I really can't. I mean, a year perhaps. A couple of years perhaps. Maybe there's some justification for that. But 15 years for documents created for



or by the chief internal auditor? Five years for briefing notes and papers? No disrespect, but I don't think that there's anything quite that valuable in that briefing binder that the Premier has been waving around the House in question period for the last few days.

3:40

I'm going to refer back to the opening questions that I asked this afternoon in question period, when I referenced something that the Premier said more than a decade ago, that he intended to make government more open and accountable to Albertans, that he intended to give Albertans real power to see into the workings of government, stating: "There is a public expectation there that we must be more transparent. What you see is what you get." He made that comment. Presumably he made it on December 23 because it showed up in a media account on December 24, 1994. Here we are 11 and a half years later, discussing a bill that does precisely the opposite of what the Premier, towards the beginning of his – I was going to say reign, but that's not the appropriate word – tenure, said he was going to do.

Now, I understand that one of the reasons why our trust level is 16 per cent among the general population in Canada, one of the reasons why people distrust us so much is because we make an awful lot of promises that we don't keep as a species, if we can be classified as a species. I understand as well that sometimes there are very legitimate reasons for not being able to keep those promises. You make a promise on the campaign trail that you fully intend to keep if you're elected to government. Once you are elected or re-elected to government, you discover that circumstances have changed or circumstances are different than you understood them to be, and in fact as much as you would like to go ahead and do what you said you were going to do, that just isn't possible. But I don't think that happens all that often. I don't think it happens nearly as often as the number of times that we as a species collectively break our promises.

We sometimes talk about looking for ways to re-engage a cynical, jaded, apathetic populous that likes to come out in droves of less than 50 per cent of eligible voters and cast their ballots on election day. I think the single best thing that we could do is actually deliver them a couple of terms of office consecutively where the government of the day actually keeps the vast majority of its promises.

Now, there are a number of ways that you can take that approach. One way, I think, is being attempted by the federal government right now, and that is to make very few promises. The fewer promises you make, perhaps, the fewer you have to keep track of and make sure that you're keeping. There is a certain sense in that. But I think, you know, within the context of no matter how many promises you have made, when you make a promise to the people of your political jurisdiction that you are going to make your government more open, more accountable, more transparent because you acknowledge that there's a real expectation on behalf of the people for that, and you go the other direction, I think that is more than breaking a promise. I think that's breaking a trust with the people.

There is, of course, under the U.S. style of government, I think, more ability to do certain things – and one of those things is to place term limits on how much time you can serve at any particular level – than we can do within the concept of the British parliamentary model. In fact, we may not ever be able to achieve term limits under this model, but there is a good reason, in theory at least, and I think as practised in the United States in some jurisdictions, in some areas, for supporting term limits, and that is because it tends to keep people from staying in the job past their best-before date.

I'd like to think that whatever we're doing in whatever field of endeavour, whether it's public life or private life that we're involved

in, we all kind of come to that job with a best-before date stamped on our foreheads. You know, that best-before date represents the point at which we are going to run out of anything meaningful that we as individuals can contribute to the process. If we've done our job up to that point, we will have made our contribution, and it is at that point time for us individually to move on and go do something else where we get a brand new best-before date. But there's no way of enforcing that best-before date, and, you know, when the milk of a career politician has gone over, there's no way of pouring it down the drain unless, of course, at the next election the voters throw the guy out.

**Dr. Morton:** Make cheese.

**Mr. Taylor:** I'm sorry. What was it that the Member for Foothills-Rocky View said? Make tea?

**Dr. Morton:** Cheese.

**Mr. Taylor:** Cheese. Well, he'd know about cheese.

Anyway, the point here is that we're seeing in Bill 20 ample evidence that this government has passed its best-before date because this government has forgotten, obviously, if it believes in this bill that it's bringing forward, the fundamental tenet of democracy, which is this. In a democratic country or a democratic province or a democratic jurisdiction of any sort those people who are elected to take a seat in a Legislature, whether they get appointed to cabinet or not, are the servants of the public, the employees of the public. We work for them, not the other way around.

A bill that supports this much secrecy purports to upset the apple cart, purports to have the inmates running the prison, purports to have the people of this great province, the 3,500,000 of them, working for the 83 of us. You can even carve off the 22 opposition members. Heck, you could even carve off the government backbenchers, who aren't actually part of cabinet. So all of us work for – how many people are in cabinet this week? It keeps changing – 25, 24, 26, that bunch. This is fundamentally wrong. Fundamentally wrong.

It is unfortunate that both opposition parties proposed at various stages along the way a number of amendments to this bill and found it impossible or virtually impossible to engage government members in debate about that. That, I think, speaks to the lack of interest in openness, accountability, transparency, and the democratic process that has developed from too many years in power. There's no possible way – there's no possible way – that I can support this bill in third because the effect of this is to deny information that should be readily available to the people of this province to those very people. The effect of this bill if passed, the effect of this law once it becomes law is to set the government apart from and above the people, and we must never do that.

We may get outvoted on this one, as we so often do, but we recognize on this side of the House that we are to be servants of the people. I can tell you, Mr. Speaker, that when we are elected government, whatever happens today, if this bill is passed, we will throw it out.

Thank you, Mr. Speaker.

**The Speaker:** The hon. leader of the third party.

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm pleased to rise at third reading of Bill 20 under the intolerable conditions of closure in this House. One of the most far-reaching bills in its impact on the government of this province, and we're allowed one

hour to debate this in third reading. I just want to indicate that despite our best efforts to process a number of amendments in committee stage, we still have four amendments that we have not had a chance to put forward in debate in this House. So people can see for themselves the impact of closure on the democratic process, or the lack thereof, in dealing with this issue.

3:50

Mr. Speaker, this legislation is just the most recent example in a long trend towards secrecy for this government. No other government in Canada is so careful and so calculating in its management of information. The watchword of this government seems to be: what they don't know can't hurt us. The NDP opposition has attempted on a number of occasions to obtain information, as have other groups and individuals in our society, only to be misdirected and given selected information which has been filtered for political expediency, and this is under the act even before these amendments are included.

One example, Mr. Speaker, is that we recently FOIPed information relating to the study commissioned by the Minister of Health and Wellness and undertaken by Aon insurance company. We were interested in this information because there was a clear attempt on the part of the government to sell their third-way privatization schemes to Albertans. They knew the schemes were not workable, so they had to manage the information which was given to Albertans. Our request was plagued by unnecessary extensions and ultimately was not fulfilled until nine days after the final deadline that was set by the Information and Privacy Commissioner. Not surprisingly, we received the information only after the minister had had time to put it through the government's messaging filter and it had been properly sanitized.

Mr. Speaker, it's interesting to note that even though the government failed to meet the deadline set by the Information and Privacy Commissioner, there was no penalty for their noncompliance. This is intolerable, and if the government was really interested in improving our FOIP legislation, this would be one place to start.

Mr. Speaker, there's a clear pattern. The opposition party asked for information to be tabled in the Assembly and then were told to FOIP for it. When we do FOIP it, we are met with delays and exemptions. When the information is finally released, it has been nipped and tucked into government spin. But now we have a situation where the Premier is retiring. In all likelihood several senior ministers will retire with him. They will no longer have control over the Public Affairs Bureau, and they will have no way of ensuring that their successors don't open the doors and let the skeletons out of the closets.

We have a bill that does two things, Mr. Speaker. It provides for more exemptions, and it provides for more delays. It allows heads of public bodies to stop the clock while seeking permission to disregard a request entirely. But worse, it seals the vault on ministerial briefing notes and internal audits for five years and 15 years respectively. Now, the Premier has talked repeatedly about how we're not getting his briefing books, but the Information and Privacy Commissioner has indicated that in most cases requests for information relating to briefings from ministers have been disallowed by his office but that in certain cases they have been allowed and that adequate protection is already in existence.

Furthermore, the internal audit branch of the government is what is responsible for making sure that money is spent as it is supposed to be and that there is no fraud and there is no theft of public money. To seal their audits for 15 years is, in our view, inexplicable since they are in the forefront of protecting the taxpayers against fraud.

To keep their audit secret for 15 years represents, in our view, a really grave threat to public accountability.

Mr. Speaker, this bill is a red flag for members of the opposition but also for Albertans generally. We need to ask why this information is so sensitive and what secrets are being kept. This government took great pleasure in watching the federal Liberal government flounder after Auditor General Sheila Fraser started revealing scandal after scandal about misspending and misuse of public dollars. The Premier boasted that such scandals could never happen in this province because Albertans would run him or any tainted minister out on a rail. But the reality is that if such scandals could never happen here, it is because Albertans might never find out about them in the first place. Members of this government flaunted the authority of our Auditor General by prematurely releasing damning reports. Again, this was a calculated political move designed to manage the release of information.

Ministers make deals with the likes of Rod Love and Kelley Charlebois for so-called strategic advice in which no documents are produced and for which there is no accountability. On this side we are left wondering just how politically partisan such strategic advice is or what advice was received at all. Are taxpayers footing the bill for strategic advice to ministers on how to best ensure re-election? How much time is being spent crafting workable public policy? How much time is spent crafting marketing strategies for bad policies based on ideological biases and rewards for well-connected donors?

You know, whenever this government seeks to restrict civil liberties – and it happens from time to time in this province – they tell us that if you're not doing anything wrong, you don't need to worry. Well, Mr. Speaker, what's sauce for the goose is sauce for the gander. If ministers aren't receiving partisan strategic advice as part of their briefings, if they're not cooking up side deals and rewarding friends, fine. Show us the books. If you're not doing anything wrong, you don't need to worry.

The disregard for basic tenets of democracy shown by this government is astounding. We recently released an analysis of Alberta's information laws that shows that they are among the most secretive and regressive on the planet. Even worse, we are now facing closure on the bill. Why? Apparently because members opposite don't want to sit following the long weekend. Well, I'm sorry, Mr. Speaker. I don't want to either, but it's not really a good reason to foreclose debate on this bill.

To conclude, Mr. Speaker, the NDP opposition will not be supporting this bill, and we will continue to challenge the ever-increasing secrecy this government is pursuing. An Alberta NDP government will open the curtains on government secrecy and let the sun shine in on the closets of the most secretive government in Canada. An NDP government will ensure that the public information is available to those to whom it belongs, the public.

Thank you.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available for questions and comments.

There being none, the chair will then recognize the hon. Member for Edmonton-Mill Woods. If anybody else wants to participate, send me a signal, please.

**Mrs. Mather:** Thank you, Mr. Speaker. What a difference a decade makes. Alberta was a leader among Canadian jurisdictions when it first introduced its Freedom of Information and Protection of Privacy Act on June 1, 1994. The act was the child of the new and now retiring Premier, who liked to point out that he personally had been FOIPed a number of times.

Access to information and privacy protection was and still is a significant next step in democratic empowerment. Democracy cannot work without informed citizens. Choices made in ignorance may be democratic, but they can also be prejudiced and persecuting. There's nothing quite as unanimous as a lynch mob. For democracy to work, there must be due process, a pause to reflect, and knowledge to reflect on. For citizens to function on a jury, they need instruction and clarification on the facts of a case before rendering a verdict. For the electorate to function as a jury on the government, the citizens must have a factual basis to assess the government's performance. Sometimes those facts come forward in the government's own announcements. Sometimes they come forward in response to questions by the opposition and media.

The FOIP Act can assist both media and opposition in gathering facts on government, but it can also be used by the ordinary citizen pursuing a matter of either public or private interest. This was the intention of the freedom of information part of the act.

Bill Gates' replacement of John Paul Getty as the world's richest man illustrates that knowledge has replaced earlier forms of capital, such as land, as a means of power. While all persons may not be equally endowed, all persons are entitled to equal access to law and equal access to information on their governments. By protecting citizens' privacy, including their private information, and simultaneously giving them access to information on what their governments are doing, it was hoped to restore a balance, to make the state the servant of the citizen rather than the reverse. This was the intent. Unfortunately, a growing culture of secrecy has offset these gains, and democracy has moved to the back burner.

4:00

With the current bill a backward step is being set in law, and two parts of FOIP legislation are being reversed. Freedom of information was intended to give citizens greater freedom in gathering information on their government. Privacy protection was intended to stop the flow of information on citizens to the state and to other interests. In our sister state to the south the war on terror has been used as an excuse to reverse the flow, for the state and corporate interests to gather information on citizens. This past week we have learned that American telecommunications companies have been passing information on their customers' calls to the U.S. Department of Homeland Security. In Ottawa Canada's own Privacy Commissioner, Jennifer Stoddart, was recently shocked to discover that a list of her telephone calls could be bought on the Internet.

The U.S. State Department recently complained that Canada has not been doing enough to share information on our citizens with U.S. security officials since the Maher Arar case. The fact that this report was released the morning after the announcement of the settlement of the softwood lumber dispute suggests that there is a cost for the free movement of our commodities, and this cost may be information on Canadians. It was ostensibly for this reason that Alberta's FOIP Act is being amended: to strengthen the hand of Canadian companies in resisting the provisions of the USA PATRIOT Act. This is especially important when governments are outsourcing services to foreign subsidiaries and information on the health and private lives of our citizens is available to these enterprises and may be demanded under U.S. law. This was the stated intent of this bill.

There are other provisions that have more dubious effects: the protection of government from the prying eyes of citizens, the reverse of what the FOIP Act intended. It's a 400-year leap backwards in parliamentary tradition before Legislatures won control of the public purse. In the 1600s the word "privacy" in

government was more apt to refer to the Privy Council and the King's right to privacy of the information from his ministers. The divine right of kings has now become deference to Premiers. With the exception that a first minister or Executive Council can no longer send a citizen to the block, the government power now concentrated around a leader is as great as it ever was.

In Britain in the 17th century it was a king's ignoring and curtailing a government which he had called that led to his fall and a revolution. In Canada in the 21st century Legislatures have become so controlled by the government that when the leadership is in transition, everything comes to a halt. In Alberta's history when change has not come about from inside government, it has come about in an avalanche from outside. This has happened three times.

Freedom of information has become the government's freedom to control its message to the public, and privacy protection has become the preservation of government secrecy. I am sure that this is not what the hon. Premier intended when he first introduced the FOIP Act in 1994.

In conclusion, I cannot support this amendment.

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

**Mr. Tougas:** Thank you, Mr. Speaker. I'm still trying to grasp the relevance of the "happy wife, happy life" line. Maybe we'll get an explanation for that at some other time. It's one of the more interesting things I've heard in this debate over the last few weeks.

You know, Mr. Speaker, much has been said about Bill 20. In fact, of all the bills we've seen in here, large and small, that we've dealt with in this long and sometimes tedious session, no single piece of legislation has been more carefully scrutinized, analyzed, and criticized than Bill 20, and with good cause. As has been mentioned many, many times in this Legislature, Bill 20 is roughly 50 per cent progressive, intelligent, and worthwhile legislation and 50 per cent regressive, secretive, and uncalled for.

The government is to be commended for protecting the people of Alberta against the prying eyes of the United States government, or any foreign power for that matter. Raising maximum fines for individuals and for corporations for breaches of the act is to be applauded. The public must be assured that breaking this law in this province will be dealt with seriously. This is what a bill is supposed to do: provide a tangible benefit to its citizens.

Unfortunately, Mr. Speaker, the good news of Bill 20 ends there. Secrecy is a hallmark of this government. I guess that comes from a sense of entitlement that a political party feels after decades in power. The party in power begins to see itself not as a political party but as the natural governing party, much the same way the federal Liberals used to be called. This creates an us versus them mentality, a conviction that government documents are the property of the party in power and not intended for the prying eyes of the opposition, the media, or even the lowly taxpaying Albertan.

Under Bill 20 we'll see more documents than ever before – documents and research paid for and concerning the people of Alberta – put under lock and key for five or even 15 years. I ask: to what end? I've read and heard multiple explanations from the government, and none of them hold water. In defending the bill, the Premier has brandished a briefing book during his question period theatrics without giving any legitimate or reasoned defence of Bill 20 aside from saying that the opposition will play politics with the information or that the information may or may not become policy. Well, I think that the people of Alberta have enough good sense to know the difference between the two, Mr. Speaker.

[Mr. Shariff in the chair]

This bill, in fact, Mr. Speaker, speaks volumes about how little respect this government has for the people of Alberta, the people it claims to represent. Public and expert opinion on Bill 20 has been virtually unanimous in opposition. The Canadian Taxpayers Federation has called the bill a huge step backward. An expert on information law has called it unacceptable, while another has called it noxious. Now, why does the government stubbornly push forward with this bill in spite of unanimous public condemnation? Well, perhaps we'll only know in five or 15 years when these supposedly sensitive documents are finally unsealed.

The irony of the controversy surrounding Bill 20 is that it is an entirely self-inflicted wound. Government briefing documents and government internal audits were never a concern to the public before. Now, thanks to Bill 20, everybody wants to know what's in a briefing book or an internal audit, and more importantly, everybody wants to know what the government has to hide.

Mr. Speaker, any time a government moves to limit access to documents, access to information, the public has a right to be alarmed. The Official Opposition has proposed amendment after amendment to improve this noxious bill, and each one has been tossed aside with barely a moment's consideration by the government. This is a truly sad end to the career of a so-called populist Premier, who rode to power as a friend of the average Albertan but who ends his reign overseeing a secretive government that doesn't trust its own citizens.

Thank you.

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

**Dr. Pannu:** Thank you, Mr. Speaker. I rise to speak on Bill 20 in its third reading. This is one of the bills that I'll remember. I think it's one of the most memorable bills in my last nine and a half years in this Assembly. It's a bill that really is an attempt to roll back the ability of Albertans to get information, to get the government to disclose information that they think is related directly to public interests and their interests. For the government to invoke closure on the debate on this bill is deeply deplored by me, by many members of this Assembly on this side of the House, and by a very, very large number of Albertans and the media in this province. Rightly so.

The existing legislation on freedom of information and protection of privacy is not very good as is. Alberta's government has been able to achieve the status of the most secret government in Canada and in the universe, perhaps, in spite of that legislation being in place. To speak against this bill, to speak against the amendments to the existing legislation that are proposed in this bill is not to support the existing legislation. It is weak legislation. It is flawed legislation. What these amendments do is to make it far worse. Far worse.

Therefore, Mr. Speaker, I'm opposed to this bill. I join with many of my colleagues in my own caucus and other members of the Assembly on the opposition side in opposing this bill.

**4:10**

This bill, any bill that deals with freedom of information, needs to meet certain tests. It needs to be based on certain principles. The leader of the NDP opposition made a document public yesterday, or the day before, which outlines the principles that must be the basis on which any such legislation should be drawn up. Those principles are outlined in a document by Article 19: Global Campaign for Free Expression. Article 19, Mr. Speaker, takes its name and purpose from article 19 of the universal declaration of human rights. The Article 19 organization is a nongovernmental organization based in

London. It works to engage people across the world in debate on how to make our governments more democratic, how to achieve good governance. What this Bill 20 does is to offend every one of the nine principles outlined in that document, principles on freedom of information legislation. If we haven't already tabled this document in the House, I will be certainly doing it tomorrow.

I think it's incumbent on the members of the Assembly and the people of Alberta to pay attention to what kinds of rules and principles are needed to be followed when either drafting legislation on freedom of information or amending existing pieces of legislation. It's an outrage that Bill 20, in fact, makes a bad piece of legislation – which has not worked in this province to make it easier for people to force the government to disclose information that they need – far worse.

That's why this bill has received such strong opposition from broad-based public opinion: in the editorials, in the letters to the editor, in the letters that we have received as MLAs. It's a bill that must be – must be – condemned for what it does. It offends democracy. It offends the obligation of governments to disclose the information that's in the public interest. What this bill does is simply put that information out of the reach of Albertans. That's why this bill should never have come before the House. It is there. It's sponsored and put forward by the government side. Certainly, we in the opposition will stand with Albertans to oppose this bill and will continue to voice our concerns about the secrecy, deepening secrecy, of this government when it seeks to amend legislation to protect, perhaps, its misdeeds.

People are beginning to ask questions. What is the government trying to hide? What is this Premier trying to leave as a legacy? The legacy is more secrecy, more ability on the part of the government to deny Albertans, who elect us to come here, to have access to information that they consider widely impinges on their rights and their interests.

For that reason, Mr. Speaker, I oppose this bill and will vote against it in the House.

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

**Mr. Bonko:** Thank you, Mr. Speaker. I see that we only have about 15 minutes to oppose this particular bill. That's the last opportunity for real freedom of information until this next thing comes about. It's unfortunate that this wasn't, in fact, an election promise or as highly regarded or as highly spoken about like the third way because when Albertans heard no particulars about the potential tampering with our health care, they were alarmed and they were armed. They were armed with petitions. They were armed on the steps. They were fearful of the change that they had no information about.

I think that if they had heard this particular piece, amendments to the FOIP Act, they would have been alarmed, they would have been armed, and they would have been on the steps as well. Unfortunately, it's come too little too late, the news, the media, that people's interests are suddenly being piqued. Like I said, it's unfortunate that it's this late in the session because I believe that they would have been giving more calls to their MLAs – to the rural MLAs, to the city MLAs, to all MLAs – expressing their outrage and concern. Particularly, if you would have asked Albertans or ask anybody, "Do you think any government should be more secretive?" – and it doesn't matter what government you're talking about – I'll tell you that the answer probably 100 per cent would be: absolutely not.

The people are elected to represent their constituents. You have to remember that we all come from communities that we represent. We all came to be accountable, to be transparent, to give to the best

of our ability, to represent all of the constituents who elected us. Now, when you put through something like this, it certainly doesn't allow us to be that much more representative, more accountable, because if we're asking information on behalf of a constituent, we now are blocked access just like the individual we were asking for, or if they wanted to have the notes, they are in fact blocked.

This again begs the question: how is this part of the democracy of this government when they talked about being leaders in transparency and accountability? How is this leading into the Speech from the Throne? It is a slap in the face to those who, in fact, trust government. People ask so little of their government. They ask them to be accountable and to be trustworthy. In turn, we ask the people to vote for those who they feel will be the most representative of them.

I think people will certainly think twice, as I said previously, as to who they are prepared to elect because when we have a standing vote, which I imagine we will, people can in fact ask: how did you vote? Did you vote for more secrecy, or did you ask for less secrecy? I think people have to realize that when they are going to be voting, this government and the members of the government asked for more secrecy.

It begs the question: what are you hiding? Not just for five years, 10 years, but up to 15 years. That is four governments, four elections is worth hiding something for. It really, really does have a hard time, you know, justifying it. We can come up with the fact about the PATRIOT Act, and we can come up with the other spins that we can put on it, that it's secrecy for the benefit of all Albertans and their information, and it's for their benefit. But, really, when you talk about 20 years, give me a break. I don't think anyone buys 20 years of secrecy that's worth, you know, that particular piece.

Thank you, Mr. Speaker.

**The Acting Speaker:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Martin:** Thank you, Mr. Speaker. Again I reiterate the differences between a new Conservative government in Ottawa and an old Conservative government in Alberta, the different directions. The ethics and transparency and accountability is all the rave in Ottawa right now. Frankly, to some degree they get it. They get it because, I guess, going through with what happened with the federal Liberals, people are expecting a different way of dealing with government at the federal level. Here we are going the other direction. The differences right now must be obvious to people: a new Conservative government and what they believe in and an old Conservative government and what they seem to believe in.

The one-party rule seems to be that the longer we're here, the more paranoid we get, the more we have to cover up the information, the more we can't let the public in on what's going on. Contrast that with the new Conservative government. Well, obviously, we don't agree with them on everything, on a lot of things, but at least they have an idealism that they're there elected by the people to be accountable and opened up the books to some degree, Mr. Speaker. I think the contrast is a wonderful one that we can take a look at here.

You know, this whole FOIP thing doesn't make any sense to me, why we're doing it. I mean, we're told that the briefing notes aren't that important. Let's go on that. We've got to put them away for five years, but they're not really that important. They just tell us how they answer questions from the opposition. Well, we see the answers to the opposition. It's in the public; it's in *Hansard*. So what's the big deal? The more you try to cover up things and the more you try to hide things, the more the people are interested.

What's there to hide? What's it all about? I've been trying to figure out why they're going in this direction. Then we have the internal auditor. For 15 years we can't even look at the audits that they do with this government. Fifteen years. What's that all about? What's that all about, Mr. Speaker?

4:20

The big question is simply: why are they going to all this trouble to do this? People in the opposition, perhaps the media, and others knew that FOIP was not the easiest thing to deal with anyhow. It's costly, time consuming, and it didn't work that well. Imagine our surprise when they want to tighten it up even more. They've created an interest in it. Probably most people didn't give two hoots about FOIP and these things before, but now they're certainly interested, much more interested, Mr. Speaker, because they're saying the question that we're asking: why are they going to all this trouble to hide things like briefing notes that the Premier and others tell us are innocuous? Then they say: gee, people might get the wrong impression because we may not have accepted that advice. Well, I think it would be pretty clear if they didn't accept the advice. We can certainly see that.

Internal audit within the government for 15 years. Why? Why? I just don't understand. I mean, when I was first elected, the government hadn't been in power that long, the Lougheed days. I doubt that they would have done this. I'm sure that if Premier Lougheed had been there, he'd say: "No. We won't go this direction. This makes no sense at all." There was an idealism when they first came in just like there is some idealism with Harper and people like that.

Now, Mr. Speaker, here we are, a government – I don't know how long they've been here.

**Mr. Mason:** Thirty-four years.

**Mr. Martin:** Thirty-four years. It seems like forever.

**Mr. Mason:** Since I was in grade 11.

**Mr. Martin:** Yeah, since you were in grade 11.

Now, as I said, Mr. Speaker, the longer they're here, the more paranoid they are. You know, the little bit of information we got from FOIP, "Well, we better cover that up because knowledge is so important." Knowledge is power, Mr. Speaker. "We better cover this up and not let anybody know what's going on."

Well, I don't know. I know they believe that they can do whatever they want in this province. After all, they've been here 34 years. They believe that people accept them no matter what they do, but the point is that even last time they should have got a warning. Whether they like it or not – and it's been mentioned many times in this Assembly – more people voted for the people on this side of the House than voted for that side of the House. That should have told them something from the heady days of the past, but no.

It's interesting that when I notice leadership candidates being put on the spot about this, they're certainly not jumping out and supporting this legislation. Do you notice that? Do you notice that, Mr. Speaker? They're not jumping out. They don't want to be hung with this. I don't see them saying: oh, boy, this is the greatest legislation in the world. A number of them outside this House have actually spoken against it. Now, that should tell the members here something. The leadership candidates don't want to be tarred with what we're doing here.

How come they don't get it? How come they don't get it, Mr. Speaker? What does it take to get through to the sick, hidebound government that's been here too long?

Now, one can only hope that the candidates for leader, who automatically becomes Premier, whoever they are, would say that this is wrong and would come back and change this and become concerned about ethics and transparent government, Mr. Speaker. One can only hope.

**Mr. Elsalhy:** They talk about it only, but they don't understand it yet.

**Mr. Martin:** Yeah. Exactly.

So, Mr. Speaker, as I say, I suppose there could be a deathbed repentance here in the waning minutes of the Legislature, but I've been around this place too long. I'm not going to hold my breath waiting for a miracle to happen, but time will tell.

The next government is going to have to deal with this. I'll tell you that ethical issues, transparency, democracy – these issues are not going to go away for this government because people in Alberta and across Canada are demanding more accountability from their politicians. They've started to realize that it's the people that elect the government, not the government that tells the people what to do, and it's happening now in Alberta too. There'll be a time at some point down the line where this government will pay a price.

Thirty-four years maybe just makes you this way. Maybe if you were a bunch of saints – I'd never accuse the government of being a bunch of saints. But even with a bunch of saints, if they'd been in power that long, this tends to happen. I don't know. I doubt that any other government will ever get 34 years of power to find it out. That's probably a good thing, Mr. Speaker. It's probably a very good thing.

I just say that it's interesting to see this particular bill, to see the government in action somehow justifying this when everybody in Alberta, even their leadership candidates, media people, everybody else, international experts are saying that this is wrong. But, oh, no. They know best. They know best, Mr. Speaker. "We'll ram this through. We will go back to our closed ways and think that the people of Alberta will say, 'Good job, boys. I'm glad that you're thwarting democracy. I'm glad that you're becoming more secretive. We really appreciate that. That makes us proud of our government.'"

What more can be said about this government, Mr. Speaker? They should be ashamed of themselves, but they're not. Hopefully, down the way they'll pay a political price for this. Thank you, Mr. Speaker.

**The Acting Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Speaker. This is my first opportunity to stand and speak to Bill 20, Freedom of Information and Protection of Privacy Amendment Act, 2006. I, too, in the short time left to me would like to express my deep concern about the lack of openness and accountability of this government. It's clear that Albertans are increasingly aware of this lack of openness and accountability and that the restriction of access and increased ministerial powers will come back to bite this government.

People are increasingly concerned about everything, how we're making decisions of land-use issues, how we're protecting our environment, how the water is being abused and industry is calling the shots, doing the investigations on its own right, how industry itself is monitoring our very groundwater, and we can't get access to any of that information even though this is of vital public interest, the very groundwater that we depend for life and livelihoods on.

So this particular bill is a step backward. It's classical George Orwell doublespeak and talks about information being accessible but, in fact, will step back years in terms of people's opportunity to know and to be empowered to speak to and effectively influence some of the key decisions in this province.

From a public trust point of view we are not helping things here, and when we reduce the level of trust in our public servants, we reduce the level of civil discourse in our society, we reduce the level of social stability, we reduce the level of community, and all of these lead down a dark path towards more division, anarchy, violence.

I dare say that some of the longer term impacts of this are being reflected in our health care system today, Mr. Speaker. Among the highest rates of depression, family violence, suicide, and alcoholism anywhere in Canada are found here in Alberta. I have to think that to some extent the attitude of closedness and mistrust is being fostered by these kinds of policies and practices by a government that says the opposite.

People out on the Legislature steps today came all the way from northwestern Alberta concerned that they've not had reasonable input into an intensive livestock operation, a big hog operation, that is already marching its way through the steps that seem clearly to be excluding people from decision-making that does not respect the regional plans of an area. Without an integrated land-use plan for the province, they indeed are left absolutely at the mercy of industry, who not only do the applications but do all of the environmental impact assessments in the absence of a department that will stand up for people, stand up for the environment, and take an opportunity to balance our development with the public interest and the social needs of people.

Information is power, and every time we make a move to restrict access to information, we are restricting people's sense of power and freedom. Indeed, that's what this bill ultimately will result in.

So, Mr. Speaker, I definitely will not be supporting this, and I know all Albertans are going to be dismayed as they learn more and more about how this government is trying to restrict opportunities and access to information and decision-making, subverting the democratic process.

4:30

**The Acting Speaker:** I hesitate to interrupt the hon. Member for Calgary-Mountain View, but pursuant to Government Motion 20, agreed to on May 17, 2006, I must now put the question.

[The voice vote indicated that Bill 20 carried]

[Several members rose calling for a division. The division bell was rung at 4:31 p.m.]

[Two minutes having elapsed, the Assembly divided]

[Mr. Shariff in the chair]

For the motion:

Amery	Haley	McFarland
Boutillier	Herard	Morton
Brown	Horner	Oberle
Cao	Jablonski	Pham
Cardinal	Knight	Prins
Evans	Liepert	Renner
Forsyth	Lindsay	Snelgrove
Goudreau	Lougheed	Stelmach
Graydon	Mar	VanderBurg
Greeneveld	McClellan	Zwozdesky

Against the motion:

Blakeman	Mason	Pastoor
Bonko	Mather	Swann
Elsalhy	Miller, R.	Taylor
Martin	Pannu	Tougas
Totals:	For – 30	Against – 12

[Motion carried; Bill 20 read a third time]

**The Acting Speaker:** Before we proceed with the next item of business, hon. Government House Leader, you wanted to rise on a motion?

**Mr. Zwozdesky:** Thank you, Mr. Speaker. I rise with the indulgence of the chair and all hon. members to seek unanimous consent to present the following motion for resolution at this time. I would move that

pursuant to Standing Order 4(3) at today's hour of 5:30 p.m. or shortly beyond 5:30 p.m., should a decision at third reading of Bill 40 be reached at that time, the Assembly will stand adjourned until 1:30 p.m. tomorrow.

I say it that way, Mr. Speaker, because clearly we have bills 43, 42, and 40 still on the Order Paper to be dealt with today, and we anticipate getting to Bill 40 very soon.

Thank you for your anticipated unanimous consent.

**The Acting Speaker:** Hon. members, just for your information Standing Order 4(3) indicates that

if at 5:30 p.m. on Tuesday or Wednesday, the business of the Assembly is not concluded, the Speaker leaves the Chair until 8 p.m. unless, on a motion of the Government House Leader made before 5:30 p.m., which may be made orally and without notice, the Assembly is adjourned until the next sitting day.

The hon. Government House Leader is seeking unanimous consent.

[Unanimous consent granted]

#### Bill 43

#### Miscellaneous Statutes Amendment Act, 2006

**Mr. Zwozdesky:** I would simply move third reading of Bill 43, the Miscellaneous Statutes Amendment Act, on behalf of the hon. Minister of Justice and Attorney General.

**The Acting Speaker:** Ready for the question?

**Hon. Members:** Question.

[Motion carried; Bill 43 read a third time]

4:40

#### Bill 42

#### Appropriation Act, 2006

**Mrs. McClellan:** Mr. Speaker, it's my pleasure to rise and move third reading of Bill 42, the Appropriation Act, 2006.

I urge all members to support this bill. There have been many comments made, some questions for clarification, and the commitment is that I will write to the individual member that may have had a question of clarification in any of those areas.

Thank you, Mr. Speaker.

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

**Mrs. Mather:** Thank you. Raising the bar or holding the bottom line? On opposite sides of the opinion pages in yesterday's *Edmonton Journal* were two contrasting views of the task of the next leader of the province. One by two researchers of the Canada West Foundation focused on studies that showed that two-thirds of Albertans want to see greater protection of the environment and elimination of poverty as provincial goals. The other, by management consultants, said that the next Premier must teach Albertans to live within their means by cutting spending and raising taxes in readiness for when the oil runs out. In essence, these two views are not utterly opposed.

[The Speaker in the chair]

Economy and ecology are not poles apart. They both come from "ecos," a word that means management of a household. Smart capitalists realize this. That's why Henry Ford supported welfare and higher wages in the 1930s as this meant that people could buy his cars. That's why Conrad Black wrote a biography of Franklin Delano Roosevelt, subtitled *Champion of Freedom*. At the height of the depression Roosevelt introduced the measures that later became the basis of the welfare state. Without these people supports capitalism would not have survived.

A society that ignores the environment and accepts poverty is not business smart. It is bad business, bad ecology, false economy, poor politics, and misguided governance. It makes about as much sense as a patient who puts off going to the doctor with a pain or cough because he doesn't want to be a sissy and because he can live with it. Such ills and unacknowledged and untreated problems can endanger the society and kill the body politic.

While the two opinion pieces in yesterday's paper both have messages we cannot ignore, they do offer different approaches to our future, different in tone if not in content. The one sets priorities that focus on our potential; the other, on our limitations. One calls us to raise the bar; the other, to remember the bottom line. It is no accident that the language of accounting is showing up in areas other than financial. We now talk of the social and democratic deficit and doing an environmental audit. This is a recognition that these factors that we used to overlook as intangible are every bit as important on a balance sheet of our state of being.

Seventy years ago William Aberhart's message on poverty in the midst of plenty led to a revolution in Alberta politics. There may have been some excuse for poverty in the depression of the 1930s. There is none today. Let us try to recapture what he was offering without being distracted by old party labels or monetary theories. He said that those who are in need and cannot support themselves for whatever reason must be extended the benefit of the doubt, what he called credit. He was saying that in a civilized country – he probably would have said a Christian society – their support needs to be underwritten by society as a whole; the social aspect. At that time some skeptics discarded his ideas as unrealistic. We are in a better position to achieve that dream now than we were in 1936.

Three times in Alberta's history as a province when the government inside this House has not listened, the people outside have heard, and it was their hearing and acting that changed the day. The message of William Aberhart comes to us again. We live in a very different world, but Albertans are still not prepared to accept poverty and injustice when we see an alternative. The only question that remains is whether that change will come from within the government or from outside it.

One of the concerns I have, obviously, is about poverty. I want to extend that to looking at the provincial government, indeed, having many policy levers that it can pull in an effort to reduce poverty,

from the tax system and social assistance to funding for nonprofit organizations and access to education. Many of our nonprofit organizations, which are designed to support a quality of life for the needy, work under a tyranny of uncertain funding. They do not have predictable and sustainable funding. They depend on volunteer help. They deserve recognition and certainty of financial support. This is one tool for helping to reduce poverty, a tool that is already in place, just needing support. Nothing prevents that support but attitude.

I've got a number of areas I'd like to talk about today. One of them, of course, is education. I've received some correspondence lately from people in the city who are dismayed about the Minister of Education's comments in the Legislature in response to questions regarding the class-size initiative and overall funding. He said that he would have the final budgets submitted to him by the end of June and that he would be looking at that then.

The reality in the school systems of this province is that by the end of June the budgets and staffing are set. We may have achieved some crude averaging target for grades 4 to 12, but because of the underfunding of education those numbers are going to change next year. Principals in some of the high schools are talking classes of 38 and 39 to even come close to balancing the budget. Some high schools in Edmonton will be losing seven or eight teachers for the coming school year. This is not because of a dramatic drop in enrolment. The enrolment is roughly the same. There simply is not enough money to retain the staff complements they have.

The excuse that those are site-based decisions doesn't cut it either. The reality is that there is simply not enough money in education. Education should not be funded on a business model, because it is not a business. It is a tool whereby a society assists as much as possible future citizens in becoming contributing, active, and moral members of society. We see it as an investment. Because human growth and development cannot be legislated, automated, or regulated, funding schools as though they were factories creates the groundwork for a dysfunctional system and produces not only poor results but a liability in the future.

The way schools are funded contributes enormously to the problem of providing appropriate education for all students. I talked about this before, especially the funding based on course completions in high school. Funding is only received for actual courses completed. That means 50 per cent attendance and a minimum mark of 25 per cent. Yet a great deal of staff time, smaller classes, aide time, calls to parents, conferences, tutoring, and planning for students at risk will be done to try to assist reluctant learners or students with difficulties learning. If the student is not successful, the school doesn't get any funding.

Schools need to be assured of an adequate block of funding each year. Stable and adequate funding allows schools to function whether they serve the academically elite population or a population comprised of less able students.

I want to again mention the unfunded liability. If not a debt to the province because we are debt free, what budget does the money come out of to pay the government's share, approximately two-thirds each year? Is the \$44 million stated in the newspaper that's going to the unfunded liability new money or simply what the government would have been paying anyway this year? The unfunded liability is placing a financial burden on all teachers regardless of whether we were part of that deal in the early '90s or not. Alberta teachers pay the highest percentage of salary into pension, higher than any public sector. What is equitable about that? I have to ask: what are the plans to address and resolve this contentious issue in a fair and equitable manner?

Again, I also have concerns about mandating second-language

learning. There's not enough staff to do it. There are not enough trained teachers to be implementing this. What is going to happen about that mandate?

4:50

We need to have more help with getting students with special needs the resources that they need to help them complete high school, but funding for special-needs students remains inadequate. An aide costs the school close to \$40,000, yet funding directly from the province is about \$20,000. So that remains a concern to me.

I'm also frustrated with the government's unwillingness despite record revenues to finance the new schools in my constituency area, the Meadows, and the modernization of older schools that are urgently needed. The upcoming budget will of course be very important for the operations of schools. They're headed into contract negotiations. Staff groups have seen salary increases elsewhere of over 3 per cent, so likely we'll expect the same. If grant increases are any less than that, that will result in staff reductions.

Again, I want to mention that fine arts do two important things, both of which are hard to measure: they feed the soul, which we desperately need in an increasingly secular world, and they make us more creative. Even with all our advances in technology we are still in need of creative minds. Unfortunately, with funding problems often the options – fine arts, any of them, counselling, and librarians – are at risk. I can't stress too much how much we need all of those.

I want to talk about AISH funding and PDD funding too. There's been a lot of discussion on these, but I want to add a request for indexation. If we can index MLAs' salaries, why don't we do the same for the most vulnerable in our society? Why do they have to wait for reviews? Indexation should be automatic in terms of people on AISH and people requiring PDD funding.

I also must mention the concern about individuals who have come from Children's Services care and must move to PDD when they are 18. There's a lot of uncertainty about the transition in terms of funding and what is available in programs. This creates unnecessary anxiety. This transition needs to be supported with communication and assistance to dispel these worries and simplify the process and make it client friendly.

Building Better Bridges is a report on programs and supports for persons with developmental disabilities, and it was released in March 2000. It contains 10 recommendations directed toward improving the governance and service delivery of the PDD programs. But this review did not recommend eliminating the provincial board, and I'm still wondering how that decision was made and what groups were consulted. Again, we need to work toward inclusion, equality, and quality of life for all types of disabilities.

Another area of concern for me is continuing care. The Auditor General's report of May 2005 was a wake-up call alerting us to the realities of long-term care facilities in this province, alerting us to the fact that many facilities were not complying with basic standards. Seniors are a vulnerable people. We need to take responsibility to put in a system with clear standards that are enforced and with a system that handles complaints effectively. Alberta could be a leader with increased accountability and transparency in regard to seniors' care. We should have the best care possible with adequate staffing and adequate hours of care per resident. There have to be standards and enforcement. Monitoring must be evident so that people of this province can be assured that we are doing what is in the best interest of each resident.

We are still waiting for the provincial standards that will give us



consistency throughout the province. Bill 205, sponsored by my colleague from Lethbridge-East, could have made a huge difference for us. We need an independent central enforcement body, a continuing care commissioner. Why aren't we legislating those standards now that we've been talking about? Why are we waiting till next spring? Seniors need the protection now.

It's also a crucial time for the environment. Global warming is no longer a possibility; it's a present reality. The earlier springs and later falls we experience each year are welcome, but they come at a cost. Desert areas are reaching northward and glaciers are receding. As a major producer of the world's energy Alberta has vowed to be a world leader in sustainability and conservation. This is a noble objective, and it needs to be more than that. Our government needs to send the signal clearly to the energy sector that economy and ecology must be balanced as joint responsibilities of a well-managed household. With only .05 per cent of the provincial government budget Alberta Environment does not have the manpower to monitor industry and our environment. The power of industry and the weakness of the Department of Environment have led to a lack of confidence that this government truly values the protection of the environment and truly understands the impact of failed action on the future of this province.

I've got concerns, of course, about coal-bed methane. We've heard a lot about that this session, and I still feel that we're not paying the attention that is due these people who are expressing concerns about the dangers of coal-bed methane.

I think I'll leave it at that.

**The Speaker:** Shall I call on the hon. Minister of Finance to close the debate?

**Hon. Members:** Question.

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

**Mrs. McClellan:** Question.

**The Speaker:** The question has been called then.

[Motion carried; Bill 42 read a third time]

#### Bill 40

#### Post-secondary Learning Amendment Act, 2006

**The Speaker:** The hon. Minister of Advanced Education.

**Mr. Herard:** Thank you, Mr. Speaker. It's indeed a pleasure to stand and move third reading of Bill 40, Post-secondary Learning Amendment Act, 2006.

After all is said and done, I think that, essentially, what this will do is create an opportunity for continuous improvement with respect to tuition policy, and I urge all members to vote in favour.

Thank you.

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

**Mr. Taylor:** Thank you, Mr. Speaker. It is my pleasure to rise on third reading of Bill 40, the Post-secondary Learning Amendment Act, 2006, and acknowledge the Minister of Advanced Education for wanting to do the right thing by students; however, the fact remains that we on this side of the House believe that he's going about it in the wrong way.

Now, this is as was indicated in second reading and in Committee of the Whole, where this bill has gotten significant debate, full debate I think, as full a debate as a bill of about 60 words can get. It is a very short bill, and it seeks to do one thing and one thing only; that is, to remove tuition policy from legislation and move it under regulations. The minister very much thinks that is the direction that he wants to go. On the opposition benches we think very much that that is the wrong direction to go. I don't think that there can be any meeting of the minds on this. I don't think there's any room for negotiation on this one. It's just a black-and-white issue.

So, with that in mind, I would like to move an amendment that the motion for third Reading of Bill 40, Post-secondary Learning Amendment Act, 2006, be amended by deleting all the words after "that" and substituting the following: "Bill 40, Post-secondary Learning Amendment Act, 2006, be not now read a third time but that it be read a third time this day six months hence." I have the requisite number of copies here for distribution.

I don't intend to spend a great deal of time speaking to this because, as I said, I think this bill has had a pretty full debate in second reading and committee stage. I think the merits or drawbacks of this bill now should be self-evident to anyone who has followed the debate. I think the positions are pretty well laid out on this debate, and of course it is our position that this is a bad bill, a bad piece of legislation, fundamentally flawed, should not go ahead. There are better ways to accomplish the same end, and we have been urging the minister to pursue some of those ways. He seems not interested in doing that. Thus, I move this amendment. I don't know how much appetite there is on either side of the House to debate this amendment, but I think it's fairly self-evident. I will take my seat now and allow the debate to go where it will.

Thank you, Mr. Speaker.

**The Speaker:** Hon. member, do I take it that that was your participation on the amendment?

**Mr. Taylor:** On the amendment, yes.

**The Speaker:** Okay. So we have debate now on the amendment. The hon. Minister of Advanced Education on the amendment.

5:00

**Mr. Herard:** Yes. Thank you very much, Mr. Speaker. I guess it won't come as a large surprise to my friend across the way that I don't support his motion.

Essentially, I'll just say this. We typically, I think, are into an area of whether or not democracy works the way democracy works. Now, it is what it is, as imperfect as it is, but at some point you have to come to the realization that you can only do what you can do.

So I would urge everyone to vote against the motion.

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

**Dr. Pannu:** Thank you, Mr. Speaker. I rise to speak on the motion before the House, which is to hoist the bill. I think there are very good reasons why this bill should not move beyond the stage it's at now and very good reasons why it shouldn't be approved by the House. We are trying to bend over backwards to give this minister the opportunity to do what he claims he wants to do. He throws up his hands in despair and disbelief that this side of the House is not willing to go along with his proposal to take the matter of establishing tuition fee policy off the floor of this House. Rather, it

should be done, he thinks, behind the closed doors of his office.

Last night the minister expressed interest in the motion that my colleague for Edmonton-Calder brought before the House on my behalf to amend the legislation. The minister said that it sounded like a good amendment, a good idea, but why didn't the Member for Edmonton-Strathcona bring it to me through my office? Well, there's an established procedure here. The minister brings the bill to the floor of the House. We debate it here. We draw attention to what we consider are seriously flawed portions of the bill. As I said, the bill is less than 60 words, and we still are trying to improve it so that the minister would have some room to manoeuvre yet respect the democratic traditions of this House.

He said that although he seems to like the idea that my amendment was proposing, he couldn't support the amendment. Very strange. I think that it's incumbent upon the minister, if he in fact found the ideas proposed in the amendment to be to his liking, to in fact implore, to try to appeal to his colleagues on the government side of the House to support the amendment. What he did, in fact, was quite surprising, quite strange. He stands to say that he cannot support the amendment.

What this hoist motion does, Mr. Speaker, is give this minister another chance to take the ideas that were proposed in that amendment last night back to his office, back to his colleagues in his caucus, back to the standing committee that deals with this matter, and seek their approval for it. The hoist motion comes, I think, at exactly the right time to rescue the minister from the difficulty that he finds himself in, that he didn't have enough time to consult.

This hoist motion does give the minister time to consult – to consult with us, consult with his own caucus, consult with the standing committee – to take the whole matter through the black hole that I talked about, but the minister doesn't seem to be serious about doing everything that he can to prevent this matter from slipping into the black hole. That's what's going to happen. That's what's happened with respect to the recommendations of the subcommittee on transforming the system, that I helped the minister to release to the press and the public. We don't know what's happening to those 37 recommendations. Now we won't know what will happen to the issue of tuition fee policy if this bill passes in the House. That's why I think it makes a great deal of sense from the point of view of the students, who have worked over the years long and hard, to put the matter of determining the parameters for the tuition fee policy back into the legislation.

Last night's amendment, that was proposed on my behalf to the House, was another attempt to help the minister to move the matter back to the floor of this House and put the issue of tuition fee policy and the framework which would guide it in the legislation that he proposes. He likes the amendment, yet he expressed his disapproval of it. I simply can't understand the logic of it. You can't be in favour of something and then say, "I'm opposed to it" in the same breath, within minutes. I read carefully what the minister had to say about that amendment in the *Hansard* last night, and I was quite puzzled how the minister can be on both sides of the issue. He's for the ideas in the amendment, yet he is against the amendment.

**Mr. R. Miller:** Then he wouldn't accept adjournment so that we could let him take it back to his caucus and discuss it.

**Dr. Pannu:** That's right.

Mr. Speaker, the hoist amendment that's before the House gives the minister yet another opportunity so that he can get things straight in his own mind first, and then he can get it right. That's what the

students would welcome. Students have been imploring this minister and this government to take another look at their concerns, and they've expressed these concerns in no uncertain terms. I hope the minister understands students' concerns. I hope the minister has been listening to what I have had to say about this matter. I hope the minister has been listening to what my hon. colleagues on the Official Opposition side responsible for this have been saying. Yet he seems to be turning a deaf ear to all of this.

Minister, you offered us an opportunity to be consulted. We are willing to be consulted, provided that you give us the opportunity. You vote for this amendment and ask your colleagues to vote for this amendment, which is a hoist motion. It really is not an amendment, Mr. Speaker; I'm sorry to confuse the two. This is a motion before the House to help the rookie Minister of Advanced Education to have time, to have the benefit of advice from this side of the House, from student organizations. I can see that rookies fumble the ball, and he has clearly done that. He has clearly done that. But we don't want to embarrass him. Mistakes are made, and then they can be fixed.

This motion gives the minister one last opportunity to say: "Mea culpa. I made a mistake." He can tell the House and his own colleagues on his side of the House, "I have been given this golden opportunity by way of this motion to take the matter back." Then he can consult with the opposition critics on this issue, to whom he wrote a letter two days ago, which was gratefully received, I want to tell the House. Yet I want to hold the minister to his word. If he's serious about consulting with us, then here is the chance. Here is the opportunity. In the dying hours of this spring session we are gracefully giving him the opportunity to fix his mistakes. Nothing is hard. If there's a will to do it, nothing is hard, Mr. Minister.

5:10

Mr. Speaker, I would therefore urge the minister to change his mind on what he had to say. I know that he sometimes acts rashly. He doesn't give himself enough time to consider the merits of arguments, of motions before the House. What I've done now is provide the minister with some chance, some opportunity, a few more minutes of reflection on the issue. I know that the minister wants continuous improvement, as he says, in setting tuition fee policy. I hope that he is also committed to making continuous improvement in his own performance in the House. It's a very, very important piece of legislation, and the minister is committed to the principle of continuous improvement, I presume, including his own performance and judgment.

Mr. Speaker, the minister has the opportunity to in fact admit that he made a mistake, that there are good ideas on this side of the House that he's willing to look at, and that in fact in his own mind for some reason – maybe his political reasons are different from his convictions, but for political reasons he's digging in his heels. He's saying no, that this hoist amendment is something he cannot vote for. But I appeal to his good judgment and say to the minister: you will win lots of friends, if not on this side of the House, at least among the students. And there are over 200,000 students in the postsecondary system. So here's an opportunity to stand up and ask for a special chance from the Speaker, to be able to have a second go and speak to the amendment and say to the House and to the Speaker that you have indeed changed your mind because the power of persuasion is there. Our job is to persuade, and I hope that I have persuaded the minister and the House that he should in fact stand up and say: "Yeah, I changed my mind. I'm going to vote for this amendment."

Thank you, Mr. Speaker.

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

**Mr. R. Miller:** What he said.

**The Speaker:** Are there others who would like to participate in the debate on the amendment?

The question is being called then?

**Hon. Members:** Question.

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

[Several members rose calling for a division. The division bell was rung at 5:13 p.m.]

[Two minutes having elapsed, the Assembly divided]

**The Speaker:** Hon. members, what we have before us now is a division on the amendment proposed by the hon. Member for Calgary-Currie.

Before I ask for the vote, I just want to remind you of the procedure that we use with respect to this kind of an amendment, known as a hoist amendment. If the amendment is carried, then this is the end of the matter, and the bill disappears from the Order Paper. If this hoist amendment is defeated, then I will immediately put the question on the motion for third reading.

For the motion:

Bonko	Miller, R.	Taylor
Mather	Pannu	Tougas

Against the motion:

Amery	Herard	McFarland
Brown	Horner	Morton
Cao	Jablonski	Oberle
Cardinal	Knight	Pham
Evans	Liepert	Prins
Forsyth	Lindsay	Renner
Goudreau	Lougheed	Stelmach
Graydon	Mar	VanderBurg
Groeneveld	McClellan	Zwozdesky
Haley		

Totals:	For – 6	Against - 28
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[Motion on the amendment to third reading of Bill 40 lost]

**The Speaker:** Hon. members, I'm now going to call the question on third reading of Bill 40.

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

[Several members rose calling for a division. The division bell was rung at 5:19 p.m.]

[Two minutes having elapsed, the Assembly divided]

For the motion:

Amery	Herard	McFarland
Brown	Horner	Morton
Cao	Jablonski	Oberle
Cardinal	Knight	Pham
Evans	Liepert	Prins
Forsyth	Lindsay	Renner
Goudreau	Lougheed	Stelmach
Graydon	Mar	VanderBurg
Groeneveld	McClellan	Zwozdesky
Haley		

Against the motion:

Backs	Miller, R.	Taylor
Bonko	Pannu	Tougas
Mather		

Totals:	For – 28	Against – 7
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[Motion carried; Bill 40 read a third time]

**The Speaker:** Hon. members, we now have a problem. A few minutes ago by resolution of this Assembly unanimous consent was given to rising at 5:30 or beyond. In this unanimous consent nothing was said about rising prior to 5:30, so now I must call on the hon. Government House Leader for a motion with respect to that.

**Mr. Zwozdesky:** Thank you, Mr. Speaker. It is yet another vignette moment for us but a good one.

However, on a serious note, in view of the hour and in view of the progress made on the bills debated today and in view of the government's business being quite completed at this point, I would now move that we call it 5:30 and that the House stand adjourned until 1:30 tomorrow afternoon.

[Motion carried; at 5:26 p.m. the Assembly adjourned to Thursday at 1:30 p.m.]

