



Province of Alberta

The 27th Legislature  
Second Session

# Alberta Hansard

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The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta

## The 27th Legislature

Second Session

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## Legislative Assembly of Alberta

1:30 p.m.

Monday, November 23, 2009

[The Speaker in the chair]

### Prayers

**The Speaker:** Welcome.

Let us pray. Guide us so that we may use the privilege given us as elected Members of the Legislative Assembly. Give us the strength to labour diligently, the courage to think and to speak with clarity and conviction and without prejudice or pride. Amen.

Hon. members and to the guests in the galleries, we'll be led now in the singing of our national anthem. We'll be led today by Mr. Paul Lorieau. Please join in in the language of one's choice.

**Hon. Members:**

O Canada, our home and native land!  
True patriot love in all thy sons command.  
With glowing hearts we see thee rise,  
The True North strong and free!  
From far and wide, O Canada,  
We stand on guard for thee.  
God keep our land glorious and free!  
O Canada, we stand on guard for thee.  
O Canada, we stand on guard for thee.

**The Speaker:** Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. Minister of Aboriginal Relations.

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. It is indeed an honour and a privilege to introduce to you some very special guests who are here to commemorate the one-year anniversary of the Ukrainian Famine and Genocide (Holodomor) Memorial Day Act, which was passed unanimously by this Assembly one year ago. Its purpose, as we will all recall, is to commemorate the 7 million to 10 million Ukrainians who were exterminated by starvation during the Ukrainian famine of 1932-33.

I'll ask each of these guests to stand as I announce their names and to remain standing, and then we can applaud them all together. I'll begin with His Excellency Bishop David; president of the Ukrainian Canadian Congress Alberta Provincial Council Daria Luciwi; vice-president of the League of Ukrainian Canadians Jaroslaw Szewczuk; president of the League of Ukrainian Canadian Women, Edmonton branch, Ivanna Szewczuk; Dr. Peter Savaryn, Order of Canada; and another guest who is seated in one of our other galleries, Mr. Andy Hladyshevsky from the Taras Shevchenko Foundation. Finally, I would like to introduce three of the remaining survivors who thankfully and mercifully are here with us today. Already standing is Dr. Yar Slavutych; next to him, Mrs. Natalia Talanchuk; and the man who spoke so eloquently at your ceremony at noon hour, Mr. Speaker, survivor Mr. Leonid Korownyk. [Remarks in Ukrainian] Thank you very much for coming, and may God bless you for many years. [As submitted] Please let's welcome them with a warm round of applause.

### Introduction of Guests

**The Speaker:** The hon. Member for Athabasca-Redwater.

**Mr. Johnson:** Thank you, Mr. Speaker. On your behalf I'd like to introduce to you and through you to members of this Assembly 30

grade 6 students from Swan Hills school, which is located, of course, in the Barrhead-Morinville-Westlock constituency. They are accompanied this afternoon by teachers Kara King, Shawna Greenstien, program assistant Alicia Dyck, and vice-principal Angie Bachand. They are seated in the public gallery this afternoon, and I'd ask them to please rise and receive the traditional warm welcome of this Assembly.

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

**Mr. Benito:** Thank you very much, Mr. Speaker. It is my honour to introduce to you and through you to all members of this Assembly a group of 27 students from St. Elizabeth elementary school. The group is led by their teachers, Miss Melissa Guzzo, Mrs. Vicki Robertson, and parent helpers Mrs. Loida Mcleod and Mrs. Suzanne Howard. They are seated in the members' gallery. I would ask them to rise and receive the traditional warm welcome of this Assembly.

Thank you.

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

**Dr. Taft:** Yes. Thanks, Mr. Speaker. I have two school groups today that I'd like to introduce to you and to all members of the Assembly. The first is from a school in my constituency named Stratford school. There are 46 students from that class. They stand out because they wear uniforms at Stratford. They are accompanied by three adults: Mr. Soldan, the assistant principal at Stratford; Ms Sitter; and Mrs. Friesen. I would ask them all to rise and receive the welcome of the Assembly. Thank you.

My second school group is from a terrific school in my constituency called Our Lady of Victories school. It's under the Edmonton Catholic school district. There are 35 visitors from that school. They have several teachers and parents with them. I'll quickly go through their names: Mrs. Gall, Ms Sokolowski, Miss Hebert, Miss Mosby, Mrs. Savard, Mrs. Despina, Mrs. Van Horn, and Mrs. Vale. I would ask all of them to rise and receive the welcome of the Assembly.

Thank you.

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

**Ms Redford:** Thank you, Mr. Speaker. I'm pleased to rise today and introduce to you and through you to all members of this Assembly seven very special guests from the claims and recoveries group in Alberta Justice who are joining us as part of their public service orientation tour. I had an opportunity to speak to them earlier about some of the work that they do, and I'm very proud of the fact that some of the work that they do has to do with the legislation that was passed unanimously in this House in December on civil forfeiture. They are Shauna Wing, Jaime Tremblay, Will Woudstra, Jason Ewert, Lloyd Roesler, Marilyn Herget, and Steve Jackson. It's a pleasure for me to be able to ask them to rise today to receive the warm welcome of this House.

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

**Mr. Olson:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all members of the Assembly today a group of five Camrosians who represent the Camrose Sport Development Society and the Royal Bank Cup steering committee. The society is the owner of the Camrose Kodiaks and is host of the 2011 Royal Bank Cup. I'm going to introduce these folks individually and ask them to stay standing as I call out all their names. They are Barry

Fossen, who is the president of the society; Kevin Gurr, who is a director of the society; Kevin Pratt, a director of the society; Ray McIsaac, who is a Kodiaks volunteer and a Camrose alderman; and Shirley Damburger, who is responsible for tournament marketing. Sir, I'd ask that you and all my colleagues offer these folks the warm welcome of this Assembly.

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

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It's an honour for me to rise today and introduce to you and through you eight representatives from Arch Enterprises seated today in the public gallery. Arch Enterprises is located in my constituency of Edmonton-Ellerslie and works to deliver support and services at the ground level for adults with developmental disabilities. This work is crucial in helping to ensure that there are equal opportunities for all Albertans. On October 23 Arch Enterprises celebrated their 30th anniversary, a celebration I was proud to be part of. I would ask all of my guests to please rise and receive the traditional warm welcome of the Assembly.

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

1:40

**Mr. Kang:** Thank you, Mr. Speaker. I am honoured to introduce to you and through you to all members of this Assembly a group of local seniors who were taken advantage of by a home builder who ignored accepted building standards and codes and provided highly misleading information. My guests are Yvonne Byer, Connie Whiteley, Brian Johnson, Beata Wagner, Doris Smith, and Bernice Veitch. I would like my guests to please rise and receive the warm welcome of this Assembly.

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

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. I rise to introduce to you and through to all hon. members of this Legislative Assembly a long-time resident and author of Edmonton, Mr. Harvey Deutschendorf. Harvey is the author of a book called *The Other Kind of Smart: Simple Ways to Boost Your Emotional Intelligence for Greater Personal Effectiveness and Success*. This book has been endorsed by Lee Iacocca, Robin Sharma, and Brian Tracy. It's Harvey's second book, and he tells me that he's already contemplating a third one as well. He's in the public gallery, and I would now ask him to rise and receive the warm and traditional welcome of the Assembly. If anyone is interested, they can have a look at this book over at Audreys or at Chapters.

Thank you.

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

**Dr. Sherman:** Thank you, Mr. Speaker. It's my honour to introduce to you and through you to members of this Assembly, in the members' gallery, Qassim Tejpar. Qassim's parents emigrated from Tanzania to England and finally to Peace River in 1976. Qassim was born in Edmonton in 1986, interestingly enough, the same year I entered medical school. He graduated from Old Scona high school and is currently one of our bright lights in the U of A second-year medical school class. Qassim also is a student leader who is on General Faculties Council at the U of A, and he hopes to graduate from the U of A med school to serve Albertans. I'd like to ask Qassim to rise and all of our members to welcome him to the Assembly.

Thank you.

**The Speaker:** Hon. members, today is the anniversary of the arrival of his presence on planet Earth 30 years ago, the hon. Member for Calgary-North Hill. Interestingly enough – and I'm not sure what this means, frankly – he has been on Earth for two days less than I have been a member of this Assembly.

### Members' Statements

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

#### Camrose Hosting of 2011 Royal Bank Cup

**Mr. Olson:** Thank you, Mr. Speaker. All successful communities need movers and shakers, people who will roll up their sleeves and get things done. Camrose is really lucky to have an abundance of these kinds of people, and some of them I've just introduced.

Camrose is also very lucky to have played host to a number of high-profile national and international sporting events over the years. As recently as nine days ago the Augustana Faculty of the U of A hosted the national collegiate cross-country running championships. Just under a year ago it was the Continental Cup of Curling, and just a month before that was the World Junior A Hockey Challenge. Of course, there have been the 25 years of the Viking Cup, which in a lot of ways has paved the way for many of these other events.

Just recently Camrose was awarded the right to host the 2011 Royal Bank Cup, which is the national junior A hockey championship. The volunteer machine led by these folks in the gallery today is already in high gear, working at getting us ready for May of 2011.

Now, our hometown Kodiaks will be the host team. Interestingly, in their 12 years of existence, which is a pretty short time, they've had five appearances in the national championship. They've won one gold medal, and they've won two silver medals. That's an achievement that's not even approached by any other franchise. The vast majority of these young men are boys from Alberta, many of them from rural Alberta, and they've been given wonderful opportunities through hockey.

The Kodiaks and the Sport Development Society along with all of their volunteers, supporters, and fans have put Camrose and, more significantly, Alberta on the national and international stage. For that reason, when the Royal Bank Cup 2011 rolls around, I hope that they will have the support of all Albertans.

Thank you.

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

#### Crimes against Humanity

**Mr. Chase:** Thank you, Mr. Speaker. Holodomor. Just a few days ago Calgarians were disgusted by the spectacle of racist, anti-Semitic propaganda. It's appalling that such hatred can still be spewed by the ignorant, especially as Albertans prepare to memorialize the Holodomor, the terrible Ukrainian famine and genocide. During the dark years of the 1930s and '40s Jews and Ukrainians suffered two superficially different holocausts, but the impacts and the root causes were essentially the same. Fear, ignorance, and outright hatred drove people with power to murder innocents. The Nazis used guns and gas chambers. The Stalinists used starvation. Millions of Jews died. Millions of Ukrainians died. The loss to humanity is immeasurable.

One would hope that such acts are in the past, that they were so terrible that surely they could never be allowed to happen again, but last week's hateful graffiti really makes you stop and think: how far have we really come? In recent memory there has been genocidal violence in Rwanda, the Sudan, and the collection of nations that

used to be Yugoslavia. Much of that violence continues to this day or could break out again at any moment.

Last year the Official Opposition supported the government's Bill 37, the Ukrainian Famine and Genocide (Holodomor) Memorial Day Act, to mark the fourth Saturday in November as a memorial day to remember the Holodomor. During the bill debate I quoted John Donne.

No man is an island, entire of itself; every man is a piece of the continent, a part of the main; if a clod be washed away by the sea, Europe is the less, as well as if a promontory were, as well as if a manor of thy friend's or of thine own were; any man's death diminishes me, because I am involved in mankind, and therefore never send to know for whom the bell tolls; it tolls for thee.

I quoted Donne because his words remind us that no matter where or when human atrocities such as genocide are committed, we are all affected by the loss. We all have a stake in preventing these crimes against humanity.

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

#### Northern Student Teacher Bursary

**Mrs. Sarich:** Thank you, Mr. Speaker. School divisions across this province are facing some significant workforce planning challenges over the next few years. A high number of teacher retirements, growing high student enrolment, and a decreasing supply of qualified teachers in specialized subject areas as well as in certain areas in the province are all leading to the need to plan for our teaching workforce. In northern Alberta these challenges are magnified 10-fold.

Earlier this year Alberta Education announced a new northern student teacher bursary to help address these challenges, Mr. Speaker. The province is working with the Northern Alberta Development Council to sponsor the bursary program, which will provide financial support for up to 55 postsecondary students who are interested in teaching in northern Alberta communities. To qualify, students must be in their last two years of teacher preparation studies, and students who receive two years of bursary funding must upon graduation teach in one of Alberta's northern school jurisdictions for three years.

As many of my colleagues know, northern Alberta communities have a great quality of life to offer. I am so pleased that this bursary program will provide new teachers with an extra incentive to teach in these communities, and I have no doubt that three years will be more than enough time for these communities to become home for the bursary recipients. More information on the northern student teacher bursary is available on the Northern Alberta Development Council's bursaries website at [www.benorth.ca](http://www.benorth.ca).

Mr. Speaker, I'm so pleased to rise today to acknowledge the excellent collaboration between the government of Alberta and education stakeholders in this province and encourage students to take advantage of all the financial support available to them for postsecondary studies.

Thank you, Mr. Speaker.

#### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

#### H1N1 Influenza Hospital Admissions

**Dr. Swann:** Thank you very much, Mr. Speaker. According to the most up-to-date information given by the Public Health Agency of Canada, both Alberta's hospitalization rates and death rates are

significantly higher than the Canadian average. Alberta, as of November 14, had 242 hospitalizations per million, 50 per cent higher than the average of 160 hospitalizations across the country. To the Premier: how can the Premier explain the large differences between Alberta's number of hospitalizations for H1N1 and that compared to the Canadian average?

**Mr. Stelmach:** Mr. Speaker, I'm not a medical doctor nor a medical health professional. I'll ask the minister to respond.

1:50

**Mr. Liepert:** Well, Mr. Speaker, I don't want to leave any impression by that intro that I am, but I don't have the particular statistics in front of me that the leader is referring to. Until I have them, I'm not going to assume that they are correct. I will say this, as we've said consistently right along: every death is tragic, but on an annual basis some 400 Albertans die of seasonal flu, and we've had some 40 deaths thus far of the H1N1.

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

**Dr. Swann:** Thank you, Mr. Speaker. Well, the Alberta death rate from H1N1, again to November 14, was 11 per million, while the Canadian average was six per million. What is the Premier's explanation for Alberta having nearly twice the death rate of the rest of the country?

**Mr. Liepert:** Well, Mr. Speaker, again, I don't have those numbers in front of me. I think this morning was a major corner that we turned in this province because starting this morning all Albertans are eligible to receive the vaccination in this province. You know, we can continue to drag up all of the statistics and all of the negative comments we want, but the key thing is that some 650,000 Albertans have now been vaccinated, and by Christmas we anticipate every Albertan that wants to be vaccinated can be vaccinated.

**Dr. Swann:** Mr. Speaker, this minister is not going to duck responsibility that easily. How can he deny that there's a direct relationship between his role in a poorly planned health restructuring and Alberta's obviously flawed pandemic response?

**Mr. Liepert:** Well, Mr. Speaker, clearly, the Alberta Health Services responded when emergencies were starting to see an increase in the number of patients with flu-like symptoms, set up the assessment clinics in four cities in this province. They were of tremendous assistance to ensure that our emergency rooms were not overcrowded. The take-up has subsided to the point where they've closed those four assessment clinics because the number of patients no longer required them. So I think we've reacted appropriately.

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

#### Alberta Hospital Edmonton

**Dr. Taft:** Well, thanks, Mr. Speaker. This government changed its plans for Alberta Hospital Edmonton three times in two months, then announced an implementation advisory team, and then had to wade in to clear up confusion about that team. The confusion around Alberta Hospital is one more sign that Alberta Health Services is in turmoil. My question is to the Premier. Does the mandate of the implementation team allow them to recommend that Alberta Hospital's programs and services remain in place and untouched? Are they able to make that recommendation?

**Mr. Stelmach:** Mr. Speaker, I've asked the team to ensure that we provide the best quality program for those in the care of either the Alberta Hospital or any mental illness program that we have available in Alberta. As I said before, I'm of the opinion, shared by many advocates for those that are suffering from mental illness, that they would have a better quality of life in the community. That is the goal, but we want to make sure that the services are in place for those that may choose to live in community-based care because I really do believe they will see a better quality of life.

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

**Dr. Taft:** Well, thanks, Mr. Speaker. It sounds like the Premier has made up his mind before he's got the advice.

Later today we'll be tabling a petition with thousands of names on it defending the role and services of Alberta Hospital Edmonton. In light of all the criticism and opposition this plan has created throughout the province from average citizens right up to all kinds of medical experts and psychiatrists, will the Premier cancel plans to cut beds and services at Alberta Hospital Edmonton and provide the funding that's necessary to keep the important programs at that institution?

**Mr. Stelmach:** Mr. Speaker, nobody is reducing the number of beds. Those beds may be in a different location. They may be in community-based care. They won't be in an institution. It seems that that is what the opposition wants, to keep people forever and ever in an institution even though they would see a better quality of life in the community.

**Dr. Taft:** Well, Mr. Speaker, some people do need long-term care in an institution. Alberta Hospital Edmonton provides programs and services that aren't just vital to the patients; they're vital to public safety. One of these is the Phoenix program, which treats pedophiles, including some of the worst of the worst. Will the Premier guarantee the public that the Phoenix program, which treats predatory pedophiles, will not be cut from Alberta Hospital Edmonton?

**Mr. Stelmach:** Mr. Speaker, what I was referring to earlier was to those individuals that can be rightfully placed in community care, those suffering from mental illness that can be treated. In this particular case, safety of Albertans is of utmost importance, and that is the purpose of the committee, to make sure that nobody is moved unless there is appropriate care in the community.

**The Speaker:** Third Official Opposition main question. The hon. Leader of the Official Opposition.

#### **New Home Construction and Inspection**

**Dr. Swann:** Thank you very much, Mr. Speaker. I rise today to advocate on behalf of a group of homeowners from Stony Plain seated in the members' gallery who've been victimized as a result as poor home building practices in Alberta. This battle has saddled them with tens of thousands of dollars in costs and an incalculable amount of stress and anxiety. To the Premier. The Official Opposition has been trying to address the government's poor track record on residential construction for years. When is the Premier going to get serious about protecting Albertans from shoddy home and condominium builders?

**Mr. Stelmach:** Mr. Speaker, I'll be briefed further on the issue of

the particular homeowners in the community that the hon. member is mentioning, but overall there are rules and regulations in place in terms of construction. It's up to not only municipal inspectors to ensure that proper construction is followed. It doesn't matter if it's an individual home or a condominium. We spend a lot of money supporting municipal inspection. We want to make sure that they're doing their job and doing what they're being paid for.

**Dr. Swann:** Well, that's exactly the question, Mr. Speaker. They're not doing their job.

Again to the Premier. In the case of the group present in the gallery today, municipal inspectors signed off on construction that independent inspectors found glaringly deficient. How can the Premier or any other minister defend our building codes when the inspection system is so obviously flawed?

**Mr. Stelmach:** Mr. Speaker, the minister responsible, the Minister of Municipal Affairs, is undertaking a review of inspection. All I have to say is that the people that sign on as municipal building inspectors have a responsibility. They just can't simply bill for something that they haven't done. So that means that if they weren't on-site and if they haven't inspected the building properly, they are in breach of their contract, the contract that is given by the municipality.

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

**Dr. Swann:** Thank you, Mr. Speaker. Well, to the Minister of Municipal Affairs. In an e-mail response to our guests from Folkstone Place, that we will table, we note that you intend to meet with stakeholders as part of the review of residential construction practices. Will you commit to meeting with these residents of Folkstone Place who are present in the Assembly today?

**Mr. Danyluk:** Well, Mr. Speaker, it is essential that new homes are being built to the quality that Albertans expect and deserve. We have proactively looked into the concerns. We have consulted with stakeholders to discuss accountability, consumer protection and recourse, worker certification, as well as inspection and enforcement processes. We've examined different ways to ensure that the quality of construction of new homes is what Albertans expect. We want to ensure that Albertans have confidence in the construction, and we will take the necessary action to ensure that that takes place.

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

#### **Health Care Reform**

**Mr. Mason:** Thank you very much, Mr. Speaker. The health minister has recently been floating the idea of a new health fee and linking it to the end of the single-payer system of medicine. This, no doubt, is part of the PC government's plan to create more private health care in Alberta. Can the Premier please lift the veil of secrecy surrounding his government's plans for health care and tell us what specifically the government has planned for a health care fee? How much, what for, and when?

2:00

**Mr. Stelmach:** Mr. Speaker, I believe the hon. member is referring to health care premiums, which I think he wants this government to bring back. We will not – it was an unfair tax – especially now that we've eliminated it and had an opportunity to speak to Albertans like single moms with a couple of children that had to pay another tax

over and above what they already paid to the government in provincial taxes. That is not coming back. I'll repeat: there will be no new taxes or health care premiums. We will find a way of ensuring a sustainable health system for future generations without creating any new taxes.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, perhaps the Premier should check with his health minister because the health minister is talking about new ways of Albertans paying for health care. You know, that sounds to me like a fee. Albertans know that health care is expensive. They don't need a patronizing minister to impose a new fee to realize that. My question is to the Premier. Once again: how much, what for, and when?

**Mr. Stelmach:** Mr. Speaker, I don't know where the member is going. We do as the ministry of health spend almost \$13 billion on 3 and a half million people. Albertans are telling us: you know, we feel there is enough money in the system; just make sure that we get value for the dollar. That's what we're doing. We're meeting with a committee that's chaired by a member of our caucus to ensure that we bring physicians, nurses, the union together to look at how we can work towards a sustainable health care system, a health care system that is very good in this province, but we also want to ensure that the next generation enjoys the same benefits.

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

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, the minister said, and I quote: can it continue to be a one-payer system forever? The single-payer system protects individuals from being charged for health care. This government is planning to force people to pay, leaving most of us with second-class health care and longer waits. Once more to the Premier: will you tell Albertans here and now that you will not impose new fees and promise that no Albertan will have to personally pay for the health care that they need?

**Mr. Liepert:** Mr. Speaker, it's typical with this particular member. He takes a portion of a quote, and that's what he focuses on.

If the member had been with me at the meeting of the AAMD and C, my comments were this: at some point in time we as Canadians and Albertans are going to have to have the discussion. There was no secret plan. There was no intent to introduce anything. I said we should have the discussion. I know they don't like to discuss these sorts of things, but that's all I'm suggesting, that we should have the discussion.

**The Speaker:** The hon. Member for Strathmore-Brooks, followed by the hon. Member for Calgary-McCall.

### Water Management

**Mr. Doerksen:** Thank you, Mr. Speaker. Alberta has experienced rapid growth in recent years. Population growth, an expanding industrial base, and a growing agriculture sector all come with pressures for water availability. Future growth will be dependent on prudent water management. Three reports were released today with recommendations that address water allocation and management in Alberta. My first question is to the Minister of Environment. How will the recommendations from the reports released today lead to improvement in the water allocation and transfer system in Alberta?

**Mr. Renner:** Mr. Speaker, what we released today was documentation that we received from three different groups in response to our request for some recommendations on how we can improve the water allocation system. Those reports will be used as the basis for us to formulate a broader discussion with the public, first, this fall and target stakeholder discussions with some of the significant water users and consumer groups, and that will then lead to a much broader public discussion in the spring and summer of 2010.

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

**Mr. Doerksen:** Thank you, Mr. Speaker. My first supplemental is to the same minister. Alberta's Water Act was established more than a hundred years ago at a time when few Albertans were competing for water. First in time, first in right is still an important principle to water users in Alberta. Will long-standing water rights continue to be protected in Alberta's Water Act?

**Mr. Renner:** Mr. Speaker, the intent of this review is to determine what is the best system for all water users, not only those who have existing licences but those who find themselves in need of water but without a licence. What I envision and what is envisioned from these recommendations is that we need to be able to facilitate a process for transfers to take place from those users who have water to those users who need water. What that process is will I think constitute the majority of the discussion.

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

**Mr. Doerksen:** Thank you, Mr. Speaker. To the same minister. Many jurisdictions around the world have incorporated innovative solutions to manage water shortages, often in a reactionary mode. I'm of the belief that Alberta has an opportunity to take a proactive approach to future growth, facilitated by good water management. Water availability will be a determining factor for where Alberta's future growth takes place. How is this government intending to lead the way in terms of water management to take advantage of the opportunity water availability provides this province, particularly in southern Alberta?

**Mr. Renner:** Mr. Speaker, this government recognizes that while we have cause for concern in the future, the pressures that we face today are nowhere near the kinds of pressures that other jurisdictions faced prior to taking action. What we intend to do by moving forward on this process is to be proactive, to make the decisions, to make the policy that will prevent us from ever getting into what a lot of these other jurisdictions found themselves in the past.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Cypress-Medicine Hat.

### Building Construction Review

**Mr. Kang:** Thank you, Mr. Speaker. The northern Alberta Better Business Bureau ranks home builders as an industry with the third-highest amount of inquiries from consumers. We have with us today six Albertans from Folkstone Place who have evidence of these poor home building practices. To the Minister of Service Alberta. Your ministry has been endlessly studying condo legislation for the past year. What is being done to protect homeowners from poor construction practices now?

**Mrs. Klimchuk:** Thank you, Mr. Speaker. As I've said previously

about the review of the Condominium Property Act, the last time it was reviewed was 2000, so we put the wheels in motion to continue reviewing this act. It's really important, and I'm happy to hear that there are people in the House to hear what I have to say. When we do an effective consultation, we need to hear from everyone. There are a number of issues out there besides the issues of the building deficiencies as well as the amount in the reserve fund. Those are some of the many issues that we need input on.

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

**Mr. Kang:** Thank you, Mr. Speaker. I think the wheels have been in motion for too long, and it's about time to do something. To the minister again. Service Alberta brought in new condo legislation nine years ago that was supposed to solve a lot of problems we are seeing today. Why should Albertans believe that this government is serious about addressing the shoddy builder issue at all?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I will speak about the Condominium Property Act, but the building codes act is with the Minister of Municipal Affairs. It's really important to note that the issues have changed so much during these last nine years, especially with all the new buildings that have been built in these last two or three years. So we are looking at any issues of construction deficiencies, reserve funds, and board governance – I've had a number of letters on that, on how individuals can access their boards and get decisions – and it's about the rights of the unit owners, as well, with the Condominium Property Act.

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

**Mr. Kang:** Thank you, Mr. Speaker. To the minister again. Albertans making a consumer transaction are supposed to be protected by the Fair Trading Act, but homebuyers like those in the gallery are not getting straight answers from your department about whether the act applies to them or not. Will the minister commit to reviewing Service Alberta's enforcement of the Fair Trading Act?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. The Fair Trading Act is a very comprehensive act that covers many, many different acts that affect consumers. Consequently, we are always looking at that act to make sure it is stronger for consumers, and part of the Condominium Property Act will look at that as it relates to the Fair Trading Act because, ultimately, it's about helping consumers make the best decisions, especially when they are making a major purchase of a home.

**The Speaker:** The hon. Member for Cypress-Medicine Hat, followed by the hon. Member for Calgary-Currie.

### Pharmaceutical Strategy

**Mr. Mitzel:** Thank you, Mr. Speaker. Recently I met with rural pharmacists in my constituency who have questions and concerns about the government's policy changes in phase 2 of the pharmaceutical strategy. My question is to the Minister of Health and Wellness. Rural independent pharmacists have indicated that they did not have any meaningful input into the strategy. They are aware of the pilot sites, but they say they were left out of the discussions. How

are pharmacists, especially rural independent pharmacists, included in the development of the second phase of the pharmaceutical strategy?

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

2:10

**Mr. Liepert:** Well, Mr. Speaker, first off, pharmacists play an important role, especially in smaller communities, rural and remote communities, in the delivery of health care. That being said, as we move towards developing our second phase of the pharmaceutical strategy, it's not possible to involve every pharmacist on an individual basis. So what we did was work with the Pharmacists Association, the chain drugstores, and the College of Pharmacists. Those consultations took place over the course of about a year. In fact, they're still continuing because there are still some areas that need revision.

We've attempted to do our best. Certainly, I have listened to MLAs that pharmacists have been in contact with. That would be pretty comprehensive consultation, Mr. Speaker.

**Mr. Mitzel:** Mr. Speaker, like me, many rural MLAs were contacted by their respective rural pharmacists after the news release announcing phase 2. Pharmacists in my area are concerned that the lost revenue will have a severe negative impact on their business. Over the years they've come to rely on the existing arrangements they have with the companies that manufacture generic drugs. I realize the government has recognized this reduction with the transition fund. Does the minister have any details on how the transition fund helps rural independent pharmacists?

**Mr. Liepert:** Well, the member is absolutely correct. Over the years our pharmacies have relied too much on side deals with the various drug companies. That's what we want to get around. Mr. Speaker, it doesn't really matter if you're a pharmacist and you are today consulting and working with your customers. You get the same kind of side deal as someone who is just simply filling prescriptions. What we want to do is ensure that pharmacists are compensated for delivering health care and working with patients. We have some programs in place to assist with this transition fund, and I'd be happy to elaborate on those in a few minutes.

**Mr. Mitzel:** Mr. Speaker, the news release also mentioned the compensation that will roll out in July of next year. What's the policy rationale for the compensation for pharmacists? Does the minister have any details regarding this compensation?

**Mr. Liepert:** Well, the compensation that will come into effect in July of 2010 is based on trials that are going on right now with the Pharmacists Association, to be concluded at the end of this calendar year. That will set up the model of how we will compensate pharmacists for delivering health care in a direct way to the communities.

In the interim, however, we recognize that there is going to be a transition period, so we've put in two transition plans. One is relative to a phasing out over three years of an enhancement of the prescription dispensing fee, and the other one, specifically for rural and remote communities, is modelled after the rural physicians action plan, Mr. Speaker.

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



### Electricity Transmission Lines

**Mr. Taylor:** Thank you, Mr. Speaker. This government clearly is not listening to Albertans on transmission policy. I suppose all the Minister of Energy can hear is his own pro Bill 50 mega-advertising propaganda campaign. Albertans know that the core failing of this bill is that it cuts those Albertans out of official independent hearings, regulatory hearings into the need for these lines that have the power to tell the government to back down on billion-dollar transmission spending. To the Minister of Energy: why is the minister failing to address the actual failings of Bill 50?

**Mr. Knight:** Mr. Speaker, the process that's in place relative to transmission development in the province of Alberta is quite clear. Bill 50 does nothing to interfere with the normal course of events in transmission construction in the province of Alberta. Our Utilities Commission has a mandate to act in the public interest and will continue to do that. There is an opportunity for open, transparent hearings, quasi-judicial hearings, that will take place relative to any of these pieces of infrastructure.

**Mr. Taylor:** Well, Mr. Speaker, that's an interesting admission. The minister, then, I guess, is bringing forward a bill that isn't needed if it doesn't make any changes or interfere in any way with the status quo.

**The Speaker:** Hon. member, remember that our tradition is that if the bill is going to be up for debate on a particular day, we don't use the question period to debate it. If I look at the Order Paper, this bill is scheduled for tonight. So let's get on to something that . . .

**Mr. Taylor:** I shall get down to the matter at hand.

Does the minister really think that the kinds of cosmetic changes he tabled on Thursday are fixing the core problems that Albertans have with Bill 50, or is he just trying to give the impression that he's acting while he's not actually taking any action?

**Mr. Knight:** Well, again, Mr. Speaker, it's very difficult to answer the question without referring to the piece of legislation, so I'll have to just say that what we will do is . . .

**The Speaker:** Yeah. We'll all come back tonight and debate it.  
The hon. member. Third question.

**Mr. Taylor:** Thank you, Mr. Speaker. Why won't the Minister of Energy, then, just admit that he doesn't really care about the public's concerns on transmission lines and he doesn't care about forcing Albertans to pay billions of dollars without having a say?

**Mr. Knight:** Mr. Speaker, as I said, there is a process in place in the province of Alberta to deal with all of these issues; it doesn't matter if we happen to be talking about building a pipeline, siting a plant, or putting a drilling rig in some location in the province of Alberta. There is a very, very good process in the province of Alberta. As a matter of fact, people from around the world come to see how our regulatory processes take place. What happens with transmission in the province of Alberta is exactly the same as with the other infrastructure that we build.

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

### Persons with Developmental Disabilities Program

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. I'm fortunate to have several agencies in my constituency that provide supports to Albertans through the persons with developmental disabilities, or PDD, program. Some of these agencies such as Arch have long service records as part of the PDD. My questions are to the Minister of Seniors and Community Supports. Although I've seen the difference this program can make in the lives of Albertans, how is the PDD program different from other provincial programs?

**Mrs. Jablonski:** Mr. Speaker, the PDD program in Alberta is among the very best in Canada. The Alberta government provided almost \$604 million this year to support adult Albertans with developmental disabilities, and that is on top of the payments they receive each month through the AISH program. The PDD program supports about 9,200 people in three key areas: home living supports, involvement in community activities, and involvement in employment and training, including volunteering. The support helps Albertans with developmental disabilities to be as independent as possible and to be included in their communities.

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

**Mr. Bhardwaj:** I haven't asked the question yet.

**The Speaker:** Go ahead.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My second question is to the same minister. It's obvious that PDD makes a big difference in the lives of many people with developmental disabilities. Can the minister share any details of her future policy plans for this particular program?

**Mrs. Jablonski:** Mr. Speaker, our government remains committed to supporting those most in need, including those with developmental disabilities. The PDD program is a good program, but I'm committed to making it even better. Five goals that I have for the PDD program are clarity, consistency, effectiveness, efficiency, and sustainability. I asked the PDD community boards to meet with funded individuals, their families, service providers, and stakeholders last year, and I also met with many people and visited programs in eastern Canada and in Massachusetts. This input helped me to establish some priority directions for the PDD program to make it more responsive to individual needs, more focused on achieving positive outcomes for the people it supports, and more sustainable.

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

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My final supplementary is to the same minister. Some of the PDD community boards are making changes to the funding allocated to service providers. My question is to the minister. What is this about, and what does it mean for the coming year?

**Mrs. Jablonski:** Mr. Speaker, I'm aware that some community boards are making in-year adjustments to their service provider contracts in order to meet their budget targets for this year. This is a regular part of business as all community boards must balance their budgets. As for next year the 2010-11 budget has not been finalized; however, like all government departments we will continue to work through the budget process with an eye to protecting those most in need.

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

### Electoral Reform

**Mr. Hehr:** Thank you, Mr. Speaker. Last week I asked the Justice minister about bringing in legislation to improve how we conduct elections in this province. The minister said that the government was looking into the matter but would not give any details. Well, today I'd like to ask about an improvement to our electoral system that I think all Albertans overwhelmingly support: bringing in fixed election dates. To the Minister of Justice: will the minister be including fixed election dates in proposed changes to the current election legislation?

2:20

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

**Ms Redford:** Thank you, Mr. Speaker. I appreciated the questions from the hon. member last week with respect to ways that we might be able to encourage more people to participate in the electoral process. As I said last week, the former Chief Electoral Officer and his operation have provided us with over 140 recommendations. Justice is currently in the process of reviewing those and, when appropriate, will be tabling necessary legislation to amend the act.

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

**Mr. Hehr:** Well, thank you very much, Mr. Speaker. Last week I brought up some of those changes that were recommended in the Chief Electoral Officer's report. One of them was more polling stations. Another one was updating residency requirements. At that time the minister didn't seem to be in favour of those. Now what I'm saying is: what kind of substantive change is the minister looking at importing into these changes that will be forthcoming?

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

**Ms Redford:** Well, thank you, Mr. Speaker. When we bring forward the legislation, the member will see what substantive changes we're suggesting.

**Mr. Hehr:** Well, I guess that's one answer, but she could also say that another way to look at this is that the election is, I guess, relatively soon, somewhat inside of two years. Can we see a date when you say this legislation will be coming in? Can we see it next session or sometime in the remote future? Can you put sort of a timetable on it? Will it be out before the next election?

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

**Ms Redford:** Thank you, Mr. Speaker. I appreciate the hon. member's concern with respect to how we set the legislative agenda. We're fully cognizant of when our deadlines are, and we'll introduce our legislation at the appropriate time.

### Opt-out Clause for Electricity Contracts

**Ms Notley:** Mr. Speaker, Albertans who were duped into signing fixed-term electricity contracts are getting gouged, and this government doesn't seem to care. The recession has temporarily pushed average electricity prices in Alberta to about half what they were last year, but contract consumers, who couldn't risk rolling the dice in this government's utility rate crash, are still paying up to 30 per

cent more and face expensive penalties if they want to opt out. My question is for the Minister of Service Alberta. Why have you failed to protect Albertans from such price discrepancies by not forcing all electricity providers to include no-penalty opt-out clauses in these contracts?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. With respect to this whole issue there are a number of different agencies in place that are selling these contracts. Again, it's the power of the consumer and the choices they have to make. Some contractors have different rules for letting people out of a contract. It's really, really important for consumers to do their research and read about the contracts before they sign them. That's what I would encourage consumers to do.

On the UCA website we update on a regular basis what all the companies are offering so that consumers can look at that information.

**Ms Notley:** Well, Mr. Speaker, it's also really, really important for the minister in charge of consumer protection to actually think about protecting consumers.

Now, by the time the contract consumers realize that they're paying way more than their neighbours to keep their lights on, the 10-day grace period to cancel their contract has expired, and they face massive penalties to get out. The minister's buyer-beware approach just isn't good enough. Why won't the minister force all electricity marketers to replace their contract exit fees with a 30-day opt-out clause?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Again, there are different exit fees and different rules that each of the companies have. It's been really important to me, when we've been monitoring many of these companies, to make sure that they are giving the consumer the right information. On many occasions we have intervened and have been able to protect the consumer and get the contracts that have been signed and those contract fees waived as well.

**Ms Notley:** Well, Mr. Speaker, the marketing used by these electricity companies is deliberately confusing. They talk about fixed rates, flex rates, regulated rates, deregulated rates, rate riders, distribution fees, transmission fees, and somewhere in the finest of fine print, penalties. You need a law degree to make sense of it. Why won't the minister stop protecting the electricity marketers and, instead, start protecting consumers by banning these exit penalties and replacing them with 30-day opt-out clauses?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I think that, indeed, this ministry and the Utilities Consumer Advocate do a great job of protecting the consumer. It's unfortunate that we can't protect every consumer because we know people are being taken advantage of. We know there are some overzealous individuals selling contracts at the door, and we investigate those and take those very seriously. It's absolutely shameful that people are being taken advantage of. As minister I am very happy to investigate all of those. We need to keep making sure that consumers have the information they need to make the right decisions.

**The Speaker:** The hon. Member for St. Albert, followed by the hon. Member for Lethbridge-East.

### Queen's Printer

**Mr. Allred:** Thank you, Mr. Speaker. My question is also for the minister responsible for Service Alberta. A fundamental rule of law is that citizens are presumed to know the law. In Alberta we have in excess of 600 acts and over a thousand regulations. It is absurd to suggest that we should know all of these laws, but the Queen's Printer conveniently has all the acts and regulations included on their website for public viewing. This is a great service to allow Albertans to access this vital information. The same fee, however, is charged to Albertans to download copies of these laws as to have a printed copy sent to them. These acts and regulations are necessary for the operation of government, and little or no further cost is generated to provide this public information electronically to the public. My question to the hon. minister is: why should Albertans have to pay a fee to download public information from a government website?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. The Queen's Printer has operated for many years on a cost-neutral basis and does an excellent job of making legislation available to all Albertans who want it. There is a fee if someone wants to make a hard copy of the legislation or to download a copy of the legislation, and the fee is the same for both because of the manpower and associated technical support required to support that service.

**Mr. Allred:** Well, thank you for that answer, Madam Minister. How much revenue is generated on an annual basis from the downloading of acts and regulations from the Queen's Printer website? What are the costs to your department in providing this information to the public?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. In the last fiscal year the Queen's Printer spent about \$1.5 million. Its revenue from downloaded items was about \$25,000, only a fraction of the cost of making legislation available to Albertans. It's worth noting that Queen's Printer prices have not increased since the mid-1990s.

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

**Mr. Allred:** Well, thank you, Mr. Speaker. I think that emphasized my point. What is the justification, then, for charging the public for accessing this public information which they have, in fact, already paid for through taxation?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Albertans can access any piece of legislation for free through the Queen's Printer. Statutes can be viewed online in the HTML version – and they will soon be available in the PDF version – for free. They can also be viewed for free at libraries across the province. Fees are only charged if someone wants a hard copy or to download a copy.

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

### Agriculture Supply Management Sponsors

**Ms Pastoor:** Thank you, Mr. Speaker. The list of sponsors at the Progressive Conservative Party's annual general meeting this month included a handful of supply management organizations, created under the Marketing of Agricultural Products Act, that are subject to ongoing government regulations. These same organizations receive millions of taxpayer dollars every year in funding. To the Minister of Agriculture and Rural Development: as the minister responsible for this act do you consider this an appropriate use of taxpayer money by these organizations?

**Mr. Groeneveld:** Mr. Speaker, it's a very strange question. I wonder if the hon. member understands how supply management is funded. Supply management, for one thing, is under the direction of the government of Canada. Supply management does not get money from my department. They can apply for the odd grant here and there, very small grants, the same as any other free enterprise operation can. So I just wonder if the hon. member understands how supply management is structured.

**Ms Pastoor:** Well, I think probably the clear question is: should taxpayers' dollars be given to a political party? Should these be partisan dollars?

My next question would be, though: can the minister please explain why funds intended to assist the livestock and meat industry in Alberta to, quote, become an internationally respected, competitive, and profitable industry, unquote, are being used to give money to political parties? Is that a good use of taxpayers' dollars?

**Mr. Groeneveld:** Well, Mr. Speaker, I don't know how best to explain this, but I think I can understand the frustration. It's unfortunate that the hon. member calls into question the supply management organizations. The frustration I can probably see; if it's taxpayers' dollars, it could be there. If the hon. member has bought any dairy, chicken, turkey, or eggs in the last while, some of her valuable dollars and her colleagues' probably ended up in the PC coffers if they did indeed make a donation.

2:30

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

**Ms Pastoor:** Okay. Will the minister introduce legislation to ensure that this type of expenditure, sponsorship dollars, which are taxpayers' dollars, does not happen in the future?

**Mr. Groeneveld:** Mr. Speaker, once again, I guess I have to explain that these are not taxpayer dollars for supply management, in no way, shape, or form. They run their own business. Their monies come through how they structured their own organization. I'm sure you don't understand any better because you don't understand a whole heck of a lot of anything.

**The Speaker:** I think we'll just go to the hon. Member for Calgary-Mackay, followed by the hon. Member for Calgary-Varsity.

### Drilling Rig Activity

**Ms Woo-Paw:** Thank you very much, Mr. Speaker. Alberta has considerable energy resources, and as a result the prosperity of many Albertans, including many constituents of Calgary-Mackay, is tied to the health of our oil and gas sector. My questions are for the hon. Minister of Energy. Can the minister please update me on the state of the province's drilling activity in comparison to Saskatchewan and B.C.?

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

**Mr. Knight:** Well, thank you, Mr. Speaker. The fact is that activity across the three western provinces has certainly declined from a year ago, and we think, of course, that lower commodity prices have probably been the largest contributor to those declines. I can, however, say that, on the positive side, the evidence is that the three-point stimulus package that we've introduced has assisted to put things back to work on the ground in Alberta. Since the spring the number of active rigs in Alberta has increased by 110 rigs, and over the same period of time, in comparison with Saskatchewan and British Columbia, Saskatchewan has added 39 rigs and B.C. has added nine, respectively.

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

**Ms Woo-Paw:** Thank you. I have constituents who want to know when the three-point incentive program was implemented and if the minister can comment on how effective it has been to date.

**Mr. Knight:** Well, again, Mr. Speaker, the programs were announced in March as a response to the crisis that we had, caused mostly by a global economic slowdown. The goal of the program, of course, was to have a healthier oil and gas industry in the province of Alberta. Drilling counts, of course, have increased, and we do believe that because of the incentive programs that we put in place, certainly a percentage of that is due to those programs. We can indicate, when this program is concluded, the amount of dollars that were actually involved in the royalty structure relative to the incentive programs. At this point in time that's not possible.

**Ms Woo-Paw:** My final supplemental is: what other measures would the minister consider in order to ensure that our oil and gas sector remains strong?

**Mr. Knight:** Well, Mr. Speaker, of course, the message that we're going out with is extremely important. We all know that this is probably one of the most important industry players in western Canada. In the way forward, that we're working with, Alberta energy should remain competitive and attractive to investors. Our intention with the competitiveness study is to take a look at the regulatory and fiscal sides of this sector relative to Alberta and compare it to other jurisdictions in Canada and North America to be sure that we maintain our competitive advantage.

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

#### Homeless Children

**Mr. Chase:** Thank you, Mr. Speaker. The Minister of Children and Youth Services seems oblivious to the reality that her ministry is in crisis. There are 2,500 new children in the system, yet there are fewer places to house them and less money to support them. We have seen closures at Bosco Homes, an overall decrease in foster placements by 24 homes, and the minister has stated that you are finally down to virtually no use of hotels as placements. To the Minister of Children and Youth Services. The numbers just don't add up. Where are you putting all those vulnerable children?

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

**Ms Tarchuk:** Thank you, Mr. Speaker. I think the first thing I'd

like to address is that comment about the system being in crisis. The system is not in crisis. It deals with crisis on a daily basis. Our workers are just like police, firefighters, paramedics. They respond to crisis. They respond to emergencies. They make the best decisions they can with the information that they have.

With respect to the member's comments about placements I have said in this House before and I'm pleased to say again that the campaign for foster homes and kinship homes is going quite well. The last time I looked, our numbers were getting close to 800. At the end of the day that's what we need: more placements so that we have more options for these kids.

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

**Mr. Chase:** Thank you. I'm hoping the hon. minister will table where the beds that were lost from the YMCA and Bosco Homes have been replaced.

What is being done to ensure that homeless youth, arguably the most vulnerable children in the system, are properly placed and cared for?

**Ms Tarchuk:** Mr. Speaker, the member does raise a very important issue, and it is the homeless. I did internally do some work with the Minister of Housing and Urban Affairs last winter and took a look at the services that are out there for the homeless: whether we had gaps, what the inventory was. We collected some pretty good information. The two ministries are working with that. As well, that information is going to the child intervention panel, that is under way, that's taking a look at our capacity to deal with societal issues like the homeless.

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

**Mr. Chase:** Thank you. I'm hoping that at some point the minister will table the actual figures because children are being displaced and living on the streets.

Apart from what the minister is unable to provide due to privacy restrictions, will the minister table documents that account for these kids having proper placements? Where are they going? How do we know that they're being cared for?

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

**Ms Tarchuk:** Thank you, Mr. Speaker. I can tell this member that between the increased options that we have for placements – that is awfully good news – as well, when it comes to the homeless and going into winter, I have asked all of our regions for their plans on how they're considering the homeless that they might have on the streets. They have been coming back. They are working with community organizations. It is a community issue. I do think that everyone is aware of the issue, and I think we have all the stakeholders properly addressing it.

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

#### Family Violence

**Mr. Weadick:** Thank you, Mr. Speaker. November is Family Violence Prevention Month. Currently in Alberta we have the second-highest rate of spousal violence in the country. I'd like to draw attention to the concerns many Albertans have about what is being done to address family violence in this province. It often seems that silence surrounds the issue and that we are not engaging

in effective dialogue to confront it. My first question is for the Minister of Justice and Attorney General. What is your ministry doing to confront family violence?

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

**Ms Redford:** Thank you, Mr. Speaker. We had the opportunity here in Alberta last week to host Diverse Voices, which was a western Canadian conference dealing with family violence and domestic violence. One of the things that both myself and my colleague the Minister of Children and Youth Services were able to talk about was the fact that this is an issue that needs to be publicly discussed. There needs to be much more awareness made of it. But, more importantly, we have to understand that the people that are victims of this act and these crimes are all members of the family.

Under the safe communities innovation fund, Mr. Speaker, we have funded the Red Path Living without Violence pilot project and the integrated domestic violence treatment program, based in Lethbridge, to the tune of over \$1 million. It's to deal not only with the direct victims of family violence but also with the perpetrators.

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

**Mr. Weadick:** Thank you, Mr. Speaker. Well, I'm really pleased you mentioned the integrated domestic violence treatment program in Lethbridge, with an investment of \$600,000.

My next question is to the same minister. Why do you think these new projects will make an impact?

**Ms Redford:** Well, Mr. Speaker, the reason that these will first make an impact is because they have been developed by the community. They've been developed by organizations in the community, such as in Lethbridge, where they've identified where they needed extra support to have wraparound approaches that deal with family violence.

Mr. Speaker, there's been a tremendous change in the discussion lately, within the last two years, as to how we talk about family violence and domestic violence. I think the work that communities are doing and communities' understanding really needs to be supported by government to ensure that we take a holistic approach to this and support both victims and perpetrators.

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

2:40

**Mr. Weadick:** Thank you, Mr. Speaker. My final question is to the same minister. What else is your ministry doing to combat family violence across this province?

**Ms Redford:** Well, Mr. Speaker, just as in many parts of what we do around safe communities, we know that there's a spectrum. We need to deal with education, awareness, intervention. We also then have to deal with the reality that there are sometimes very serious consequences in these cases. Within the Department of Justice and under safe communities we're supporting initiatives such as the diversion court in Calgary, the HomeFront court, where we try to deal with the entire situation that a family might be facing when these situations arise. We try to understand, through the work that we're doing in domestic violence courts in eight communities, exactly how to fast-track resolutions to family violence and address it through court proceedings where necessary.

**The Speaker:** Hon. members, that was 96 questions and responses today. In 30 seconds from now we will continue with the Routine.

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

[Unanimous consent granted]

### Introduction of Guests

(continued)

**The Speaker:** The hon. Member for Leduc-Beaumont-Devon.

**Mr. Rogers:** Thank you, Mr. Speaker. It is my pleasure today to introduce to you and through you to the members of the Assembly a group of visitors from the Northern Alberta Pioneers and Descendants Association, who are seated in the members' gallery. I had the privilege of attending their harvest celebration recently. Also, prior to question period along with the Minister of Finance and Enterprise, the Member for Edmonton-Meadowlark, the Member for Edmonton-Decore, and the Member for Edmonton-Beverly-Clareview we were pleased to take a picture with this group.

We are joined today by their president and someone very familiar to this Chamber, Mr. Bob Maskell, a former MLA; council members Fred Stephenson, Irene Moir, Earl Anderson, Lois Thomas, Olive Sydor, Elsie Lupul, and John and Laura Walter. Of course, the Walter name is synonymous with the Walterdale Bridge, the John Walter Museum, and they were the family responsible for the first ferry across the North Saskatchewan River. I'd ask our guests to rise and receive the traditional warm welcome of this Assembly.

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

**Mr. Danyluk:** Thank you very much, Mr. Speaker. I was just going to introduce the previous hon. Member for Edmonton-Meadowlark, who was Bob Maskell, and was going to mention the amount of work that he has done and the commitment and dedication that he has given the province of Alberta in the aspect of education. I wanted to thank him at the same time.

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

**Dr. Taft:** Thanks, Mr. Speaker. I'm honoured to introduce to you and to all the members of the Assembly a group of employees from Alberta Hospital as well as staff from the Alberta Union of Provincial Employees. They are here today to witness our discussion earlier on Alberta Hospital as well as to watch the tabling of a very, very substantial petition, that will happen in a few minutes. I would ask them all to rise. They're very concerned about the negative consequences that closing Alberta Hospital may have on Alberta's mental health system, and they're wanting us to hear their concerns. Please give them a warm welcome.

Thank you.

### Members' Statements

(continued)

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

### Water for Life Strategy

**Mrs. McQueen:** Thank you, Mr. Speaker. Water is not only a valuable resource; it is a life source. Albertans' quality of life depends on having enough water to meet all of our competing needs. This includes everything from water in our taps to the water we use for development, energy, and recreation. Last year the government

of Alberta released the renewed water for life strategy, a 10-year plan to manage our water resources. It builds on the original water for life strategy, released in 2003, and last week we took another step forward and released the water for life action plan. The action plan sets out clear water management activities and actions. It includes short-, medium-, and long-term actions to be achieved over the next 10 years. The plan will help ensure that we deliver on the goals outlined in the renewed water for life action strategy and continue to build upon Alberta's robust water framework.

Our renewed strategy and action plan exemplify the benefits of taking a partnership approach to protecting our water resources. To achieve a meaningful and fully informed strategy and action plan, the Minister of Environment asked the Water Council to provide recommendations to renew water for life. The council acknowledged that water for life is making good progress and provided some excellent recommendations to help ensure we achieve our three main water for life goals: a safe, secure drinking water supply; healthy aquatic ecosystems; and reliable, quality water supplies for a sustainable economy. Based on the council's recommendations, the action plan emphasizes conservation and education activities, which will continue to involve the efforts of many partners, including the council.

On that note, I would like to recognize the Alberta Water Council for their ongoing hard work and dedication to safeguarding our water resources. The work of the council is critical to ensure the relevance of our water management policy now and for the future.

Thank you.

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

#### Cold Lake Heavy Oil Operations Milestone

**Mrs. Leskiw:** Thank you, Mr. Speaker. In October the Imperial Oil Cold Lake heavy oil operations facility reached its billion barrel mark. The Cold Lake facility joins three other facilities in Canada who have also reached this milestone. However, it is the first in situ operation in the country to accomplish this. To put this into perspective, a billion barrels of oil would supply all of Canada's oil needs for one year. This operation has been producing oil for four decades and averages approximately 145,000 barrels each day.

In September Imperial Oil introduced the Cold Lake Nabiye project, which will help to reduce its environmental footprint with the development of new technology while increasing its daily output by 30,000 barrels. Many of my colleagues had the opportunity to tour this facility in October, and I would encourage all members to visit the various oil and gas operations in my constituency to learn about the technology, operation, and development of these industry powerhouses.

Mr. Speaker, many Bonnyville-Cold Lake residents work in the Alberta oil and gas industry, and many of these are employed by Imperial Oil. My constituents rely on the growth and success of major companies like Imperial Oil for not only employment but sustainability. The growth of this company has contributed immensely to the growth of my constituency and the communities in it.

I would like to congratulate Cold Lake Imperial Oil and their staff on this tremendous milestone and look forward to the many accomplishments that are yet to come.

Thank you.

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

#### Underground Electricity Transmission Lines

**Mr. Xiao:** Thank you, Mr. Speaker. My constituency of Edmonton-McClung lies in the southwest corner of Edmonton, and it could therefore be impacted by the proposed heartland transmission project. I have received a great number of e-mails and letters from my constituents and also many Edmontonians expressing their concerns about the potential impact of the transmission lines on their health, on the environment, and on the value of their properties. In a moment I will table 1,784 letters and e-mails I have received.

My constituents do recognize that Alberta's transmission network needs to be modernized. My constituents are urging their government, the AESO, Alberta Electric System Operator, and the AUC, Alberta Utilities Commission, to consider the possibility of burying certain segments of the transmission lines in the densely populated areas. AESO has established a comprehensive consultation process through hearings, open houses, and information sessions across our province to ensure that all Albertans are able to have input into this project; that is, to provide secure electricity transmission for the future growth of our province.

Mr. Speaker, I very much appreciate the tremendous time and effort many of my constituents and volunteers are taking to ensure that their voices are heard in this Legislature. I very much value the input that my constituents have contributed to the consultation process and encourage all Albertans to do so.

Thank you.

2:50

#### Presenting Reports by Standing and Special Committees

**The Speaker:** The hon. Member for Cypress-Medicine Hat.

**Mr. Mitzel:** Thank you, Mr. Speaker. As chair of the Select Special Chief Electoral Officer Search Committee I'd like to table the committee's report recommending the appointment of Mr. Olaf Brian Fjeldheim as the Chief Electoral Officer for the province of Alberta. Copies of the report are being distributed to all members of the Assembly today.

#### Presenting Petitions

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I have two petitions today, both dealing with Alberta Hospital. The first one says:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government to redevelop Alberta Hospital Edmonton as necessary in order to maintain all services, programs, and beds operating as of September 1, 2009 at Alberta Hospital Edmonton.

This petition has 1,000 signatures.

The second petition reads:

We, the undersigned residents of Alberta, petition the Legislative Assembly of Alberta to urge the Government to maintain the current number of acute care mental health beds at Alberta Hospital Edmonton.

This petition has 672 signatures, Mr. Speaker.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. I'd like to join a number of my colleagues in the Assembly today in tabling a petition with 1,000 names on it. The prayer is that they're petition-

ing the Legislative Assembly to urge the government to “redevelop Alberta Hospital Edmonton as necessary in order to maintain all services, programs, and beds operating as of September 1, 2009 at Alberta Hospital Edmonton.”

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

**Mr. Taylor:** Thank you, Mr. Speaker. I would like to join my colleagues and present a petition with another 910 signatures on it, undersigned residents of Alberta petitioning the Assembly to urge the government to “redevelop Alberta Hospital Edmonton as necessary in order to maintain all services, programs, and beds operating as of September 1, 2009 at Alberta Hospital Edmonton.”

Thank you, Mr. Speaker.

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

**Ms Pastoor:** Thank you, Mr. Speaker. I, too, am pleased to present 962 signatures, which are part of a package of 5,725 signatures. The prayer reads that they ask the Legislative Assembly to “redevelop Alberta Hospital Edmonton as necessary in order to maintain all services, programs, and beds operating as of September 1, 2009 at Alberta Hospital Edmonton.”

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

**Mr. Chase:** Thank you very much, Mr. Speaker. I am tabling 962 signatures urging the Legislative Assembly to urge the government to “redevelop Alberta Hospital Edmonton as necessary in order to maintain all services, programs, and beds operating as of September 1, 2009 at Alberta Hospital Edmonton.”

Mr. Speaker, by the time all petitions are tabled, there will be almost 40,000 signatures in total.

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

**Mr. MacDonald:** Thank you very much, Mr. Speaker. I, too, have a petition to present to the Legislative Assembly this afternoon. This is a petition organized by the Save Alberta Hospital Edmonton group. They can be reached at [savealbertahospital.com](http://savealbertahospital.com). This petition has 903 names on it. They're from Medicine Hat, Spruce Grove, Sherwood Park, Edmonton, St. Albert, Stony Plain. They're from all over the province. The petition is to the Legislative Assembly of Alberta, in Legislature assembled, and reads:

We, the undersigned residents of Alberta, petition the Legislative Assembly . . . to redevelop Alberta Hospital Edmonton as necessary in order to maintain all services, programs, and beds operating as of September 1, 2009 at Alberta Hospital Edmonton.

I would just like to say thank you to the AUPE for organizing this.

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

**Dr. Taft:** Thanks, Mr. Speaker. Like my colleagues, I'm tabling a petition. This particular one has 988 signatures, and it brings the total to nearly 6,000 for today alone. The prayer reads:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government to redevelop Alberta Hospital Edmonton as necessary in order to maintain all services, programs, and beds operating as of September 1, 2009 at Alberta Hospital Edmonton.

The impressive thing about this, aside from its numbers, is that it covers Lethbridge, Camrose, Calgary, Milk River, Grande Prairie, High River, Fort McMurray, and many, many other communities all around Alberta. There's a very broad base here.

## Tabling Returns and Reports

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

**Mr. Xiao:** Thank you, Mr. Speaker. I'd like to table 1,784 letters and e-mails I have received from my constituents and also many Edmontonians expressing their concerns about the potential impact of the proposed transmission lines on their health, the environment, and the value of their properties.

Thank you.

**The Speaker:** Hon. member, there will be some difficulties with those because of the format and the earlier ruling that I gave with respect to those. They may very well be returned to you so that you might do some better sorting out.

The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Speaker. I rise to table five copies of my e-mail to Pat Cochrane and members of the Calgary board of trustees on Bill 206.

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

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. I have a number of tablings today. The first two are with permission from constituents Kenneth A. Mills and Doug MacEachern. They have issues with Alberta Hospital Edmonton, and they cannot understand why our government would consider downgrading it and closing a portion of it.

The second group of tablings I have this afternoon are also from constituents of Edmonton-Gold Bar. They're all very concerned about education funding, and they are urging the government not to cut funding for our public schools. The first one is from Fran Lucas, the second one is from Mr. Keith Wilson, and the third is from Lorraine Wilson on 56th Street. They all have given me permission to table those documents in the House.

Thank you.

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

**Mr. Chase:** Thank you very much, Mr. Speaker. I'm tabling the requisite number of copies of the letter that I sent to yourself and to key members of this House. The first paragraph states . . .

**The Speaker:** That's not required. It's the Speaker's job to table that, not yours.

The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. I've got a number of tablings to make here today. The first one is copies of a letter to the Minister of Municipal Affairs and all other MLAs by CC from Ms Yvonne Byer and Ms Connie Whiteley outlining their situation. Also included are photos of Ms Byer's house that indicate some of the true concerns outlined by the residents regarding their homes.

The second one is copies of a letter to the Alberta Liberal caucus, also with photographs included, from Mr. Brian Johnson outlining his issue.

The third one is copies of a letter to the Alberta Liberal caucus, with photos included, outlining the situation of Ms Doris Smith and Ms Beate Wagner regarding their parents' home.

Number four is copies of an e-mail response dated June 12, '09, from the Minister of Municipal Affairs to a letter from Ms Yvonne Byer.

The fifth one is recommendations from five residents of Folkstone Place for legislative changes regarding home inspections and building safety codes.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, I'd like to table the 2008 annual report of the Legislative Assembly Office for the calendar year ended December 31, 2008. The report represents the audited financial statements for the fiscal year 2007-2008 and the 2008 annual report of the Alberta branch of the Commonwealth Parliamentary Association.

I'm also tabling the appropriate copies of a memorandum from the hon. Member for Calgary-Varsity requesting that Bill 209, Children's Services Review Committee Act, be given early consideration for second reading.

3:00

Now, we're at 3 o'clock, and we have a standing order that says that we can't continue unless we have unanimous consent to conclude the Routine. I need unanimous consent. The Clerk has a number of tablings that are probably appropriate, so would the Assembly be prepared to give unanimous consent?

[Unanimous consent granted]

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following document was deposited with the office of the Clerk: on behalf of the hon. Mr. Goudreau, Minister of Employment and Immigration, pursuant to the Regulated Accounting Profession Act the Certified General Accountants' Association of Alberta annual report 2008-2009.

### Statement by the Speaker

#### Private Members' Public Bills

**The Speaker:** Hon. members, the chair has to make some comments with respect to the procedure for the remainder of the afternoon because of some interesting requests made of the chair; that is, I need to make some comments about the order of private members' public bills.

As is often the case when session appears to be coming to an end, members become anxious about having their private members' bills considered prior to the end of session. In that vein, on November 18, 2009, the chair tabled a letter from the hon. Member for Calgary-Fish Creek dated that same day, requesting that Bill 206 receive early consideration at third reading if it passed committee stage. The letter is recorded as Sessional Paper 638/2009.

The next day, Thursday, November 19, 2009, the chair received a letter from Calgary-Varsity, which was tabled today, asking that Bill 209, which he is sponsoring, receive some consideration today.

The issue about the early consideration of private members' bills has been the subject of several Speakers' rulings over the years. I would refer members to the May 8, 2006, ruling at pages 1356 and 1357 of *Alberta Hansard* for that day and the December 1, 2003, ruling found at page 1968 of *Alberta Hansard* for that day. One feature of both rulings is the chair's request to members and House leaders to have the situation reviewed and clarified.

In 2003 the chair stated the view that "a member should not be able to request early consideration of his or her bill at the next stage until it has passed the previous stage." However, that is not the rule, for reasons that the chair will elaborate upon.

The Speaker's role in determining the order of business for private members' bills stems from Standing Order 9(1), which states that

"all items standing on the Order Paper, except Government Bills and Orders, shall be taken up according to the precedence assigned to each on the Order Paper." The issue for the chair is to determine how to interpret "precedence assigned to each."

As indicated in previous rulings, this issue precedes this Speaker. In his February 11, 1997, ruling, Speaker Schumacher outlined a procedure whereby members could request early consideration of their bills. The ruling is found at page 16 of the *Journals* for that date. As the chair believes this is such an important issue, he will repeat part of that ruling:

(3) If a Member wants his or her Bill to be considered before the due date, then that Member must make a written request to the Speaker prior to the opening of the House the day before the Member wants the Bill to be considered. For example, if a Member wants a Bill to be considered on a Wednesday . . .

Now, when this ruling was given, private members' business was considered on Tuesdays and Wednesdays, and that's the reason I refer to that.

. . . the letter must be received by the Speaker before the opening of the House on Tuesday on which day the Chair will table the letter.

Well, we now have a situation where we have private members' on Monday, so you have to have it in by Thursday.

(4) When a Member requests that his or her Bill be considered before its due date, the Bill will be called after debate has concluded on the Private Members' Public Bill that is then before the House or Committee of the Whole assuming that no other Bills have reached their due dates.

So in keeping with previous practices, the business for today will start with Committee of the Whole consideration of Bill 206. If this bill is reported by the committee and the report is accepted by the Assembly, then the Assembly will move to third reading consideration of Bill 206 for one hour. If there is time remaining, the Assembly will resume its consideration of Bill 208 at second reading stage. Once that is completed, Bill 209 may be moved for second reading.

As the chair indicated, there is some sympathy for members who feel that their bills have been "bumped" by requests for early consideration. On December 1, 2003, the chair noted that the request for early consideration of Bill 208, which had not passed committee stage when the request for early consideration of the bill at third reading stage was made, might work a hardship on the member who was sponsoring Bill 209 at second reading. The chair – and I quote myself, I guess – noted the procedure for early consideration but stated:

In an effort to ensure that the system is fair and equitable to all members, the chair would welcome suggestions by members and their House leaders over the winter on this issue of early consideration of private members' public bills so that a procedural policy could be put in place for the spring 2004 session, one that would be very clear at the initiation of the session.

No recommendations were forthcoming, and no changes were made despite the chair's invitation.

The chair renewed that invitation in 2006, but despite an extensive review of the standing orders since then, no changes have been made. The chair sincerely hopes that this issue will be resolved or at least considered by House leaders and members in the near future.

So back to where we are. We're going to go to Committee of the Whole in just a second for consideration of Bill 206. At the conclusion of the consideration of Bill 206 and if the report is accepted, then the Assembly will move to third reading consideration of Bill 206 for one hour. If there's time remaining, we'll then proceed to consideration of Bill 208 at second reading, and if that's completed, then we'll go to Bill 209. But at 5 o'clock we'll adjourn, of course, for motions.



**Orders of the Day**  
**Public Bills and Orders Other than**  
**Government Bills and Orders**  
**Committee of the Whole**

[Mr. Cao in the chair]

**The Chair:** The chair would like to call the committee to order.

**Bill 206**  
**School (Enhanced Protection of Students and Teachers)**  
**Amendment Act, 2009**

**The Chair:** Are there any comments, questions, amendments to be offered with respect to this bill? The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much. I want to begin by repeating my appreciation to the Member for Calgary-Fish Creek for attempting to address the issue of bullying. I give her full credit because she's tried to wrestle with this issue twice, first in Bill 210, and then she took the comments that were directed towards Bill 210 and attempted to refine them further in Bill 206. Having said that, she further attempted refinement on Bill 206 with amendments, and I was grateful to the Member for Calgary-Fish Creek for accepting an amendment that I proposed as well.

The problem, Mr. Chair, is a problem that I have pointed out since the beginning of our discussion, that a private member's bill has no ability to ask for funding, and without funding, unfortunately, this bill is doomed to failure.

Today the Alberta School Boards Association heard the following emergent motion:

That the ASBA believes that the proposed amendments to the School Act as detailed in Bill 206, School (Enhanced Protection of Students and Teachers) Amendment Act, should not be supported.

The background provided is as follows:

As of November 16, 2009, Bill 206 has passed second reading in the Legislature and is currently at the Committee of the Whole stage.

As per the ASBA's review of Bill 206, outlined in an April 29, 2009 Memorandum, the proposed amendments to the School Act detailed in Bill 206 are detrimental to the ability of school administrations to fulfill a school board's statutory duty to provide a safe and caring environment for its students and staff.

The mandatory protocols provided by these amendments:

- do not provide principals with the discretion to progressively discipline students or take into consideration mitigating factors, especially for special needs or disabled students;
- removes the principals' current authority to issue student suspensions, especially to immediately remove a student who threatens the safety of staff and students;
- impacts students' rights to procedural fairness if the student fails to participate in the mandated educational measures program;
- creates onerous, potentially unworkable tracking and reporting requirements to determine when "bullying" as defined occurs;
- fails to require parental notification and involvement; and
- does not provide any guidance or meaning as to what an educational measures program consists of or is meant to do.

Given the above concerns and the short timeline to passage of the Bill, the ASBA should communicate immediately with the Premier, the Minister of Education and all MLAs regarding the lack of support for the passage of Bill 206.

3:10

The vote was taken today. It was taken early on in the ASBA's AGM procedures this morning. The vote, Mr. Chair, was 97 per

cent against this particular piece of legislation, and that 97 per cent of school boards who voted represents 97.6 per cent of students.

Now, I say this with all sincerity. The hon. mover of this bill must feel that she's climbing a mountain with several pounds' worth of pack on her back. I completely understand, Mr. Chair – and, again, I hope my integrity and sincerity come through in what I am attempting to express – that the member put forward this piece of legislation with the best of intentions, but as I pointed out at several stages of discussion, the best of intentions cannot be addressed within the bill in its current state. The only way Bill 206 in a reframed manner could be accepted is if it came forward as a government bill.

What I am encouraging the hon. Member for Calgary-Fish Creek to do is to gain the confidence of all her caucus members and sponsor the bill through a government-endorsed procedure because that will solve one of the major problems associated with this, the underlying problem, and that's funding. If it comes as a government-funded bill, there is no problem because the funding will follow. But right now, without the funding for the program to which Bill 206 purports to send students, the educational measures program, without that funding you cannot have the program. The program does not currently exist. How do you send a student who has misbehaved, bullied, to a nonexistent program? Also, the funding does not exist to provide teachers' in-servicing in a nonexistent bullying program. Take it one step further, Mr. Chair. There is no funding for curriculum development at the postsecondary level for students seeking a master of education or for individuals training to be teachers' aides at our local colleges. So while the Member for Calgary-Fish Creek has a vision, that vision, unfortunately, is impaired by the reality that without funding this cannot go forward.

School boards were concerned on a variety of issues. I highlighted the memorandum, the emergent motion, that went forward today, but their concerns are magnified by the reality of what's happened so far with the Ministry of Education. Mr. Chair, \$80 million of educational cuts have come forward. A significant percentage of those cuts came as clawbacks from the existing school boards. School boards are concerned that because the government is projected to be cutting as much as \$300 million for the 2010 budgeting process, they'll be left with a bill for a nonexistent bullying program. Now, they're concerned about the funding, but they're also concerned about the quasi-judicial relationship that teachers and principals find themselves placed in.

Now, Mr. Chair, that alone should be sufficient; 97 per cent of locally elected, semiautonomous school board representatives, trustees, have voted almost a hundred per cent to bring this to a close. That should be sufficient. But I want to share with you an interpretation by the Calgary Association of Parents and School Councils. This comes under Critics' Concerns.

Though the spirit and intention behind this bill are indisputably positive, critics of this bill have several concerns.

The bill contains no provisions for any kind of teacher and administration training in the identification of bullying, and no anti-bullying education for students. According to Calgary-Varsity Liberal MLA . . . education programs are the only effective way to stop bullying. Calgary Police Services concur: "Focusing resources on addressing the root causes of youth crime and violence will make a significant difference in the long run."

The bill may run into trouble in relation to Bill 44, which passed this spring. Bill 44 allows parents to remove their children from any class that explicitly teaches about sexuality, sexual orientation, or religion. As much of the bullying that occurs in a school setting relates to real or imagined issues surrounding these three topics, the new potential restrictions regarding educating bullies about sexuality, sexual orientation, and religion may make

an “educational measures program” impossible. If a parent chooses to not allow their child to participate in an anti-bullying discussion because of its content, schools may have no other avenue of discipline.

Should the proposed legislation come into effect, critics are concerned that it would result in a mountain of paperwork for school administrators. They believe that administrators will have far less time to effectively administrate their schools because they will spend so much time completing reports and documentation on the smallest of issues.

I look forward to other opportunities, Mr. Chair.

**The Chair:** The hon. Member for Livingstone-MacLeod.

**Mr. Berger:** Thank you, Mr. Chair, for the opportunity to rise today and participate in the Committee of the Whole debate on Bill 206, School (Enhanced Protection of Students and Teachers) Amendment Act, 2009, brought forward by the hon. Member for Calgary-Fish Creek. I applaud the member for sponsoring this groundbreaking legislation that seeks to address the problem of bullying, drugs, and violence in our schools. Most importantly, Bill 206 approaches the problem of bullying in a modern context, where the Internet and gangs are part of the question.

We know full well that kids from time to time do have a tendency to pick on one another. However, there is a point where it becomes a problem: when it is unrelenting and, in some cases, threatening. In these cases, bullying can have severe repercussions for the victims. Aside from physical harm, a victim’s ability to learn is compromised, and their mental health may suffer as well. It is necessary, then, to have in place an appropriate intervention process that can identify and correct these types of situations.

It is also important, Mr. Chairman, that there be a thorough record of severe bullying cases. This valuable information will help school administrators, teachers, parents, students, and government understand the nature of severe bullying. While Bill 206 calls for each case to be specifically documented and dealt with individually, it is important to also consider the big picture for the purposes of analysis and monitoring, and this is the intention of section 7.

Section 7 would require that school boards submit a comprehensive report detailing all cases of bullying and infractions each year. Specifically, Section 7(a) states that “a board shall, within 30 days of the end of a school year, submit a report to the Minister respecting all alleged contraventions of sections 12.1 and 12.2 of which the board is aware . . . [as prescribed] under section 23.1.” These contraventions, as specified in sections 12.1 and 12.2, include possession of banned items, weapons, drug paraphernalia, for example, and bullying at school, on school buses, at school events, online or over the Internet, and any other instances reasonably expected to cause substantial and material disruption at the school. Any such instances, Mr. Chairman, will be forwarded to the board, as outlined in section 23.1, which requires that the school principal advise the board of the possible contraventions of sections 12.1 or 12.2.

3:20

The process of documenting these issues, as specified in section 23.1, is quite simple. The year-end reporting essentially involves compiling the individual reports. Considering this, we can be sure that the year-end reports represent a thorough account of bullying cases in our schools. Moreover, school boards would have ample time to compile the year-end reports as specified within the bill as it clearly states in section 7(a) that the report shall be filed within 30 days of the end of each school year. I am happy to see this amount

of time specified between the end of the school year and the date that the year-end report would be due. We do not want to burden school administrators when they are busy teaching our children, so it is appropriate that year-end reports be collected within a reasonable time frame after the conclusion of classes.

Mr. Chairman, there would be valuable information contained within these reports. These year-end reports can assist relevant government departments and agencies as well as the school board itself in assessing outcomes and possible new trends in bullying and school violence. For example, the information can offer a perspective on successful mediation by law enforcement officers as well as best practices within schools for resolving bullying situations. Additionally, taken together, these reports can offer insight into the specific cause surrounding bullying and destructive behaviour both in and out of the classroom.

Knowledge gained from the year-end reports may be used in conjunction with research on social development amongst youth to further understand the complexities that confront teachers, school administrators, and legislators alike in the field of education. Ultimately, Mr. Chairman, the increased understanding promoted by these year-end reports can help us sustain a world-class education system in Alberta that all students can be part of. I think we can all agree that no student deserves to be sidelined in education because their school has become a place of fear. Bill 206 clearly outlines a practical and reasonable framework for addressing the problem of bullying in our schools, and the provision for the year-end reports in section 7 of the bill is an important piece of that strategy.

In closing, Mr. Chairman, I would like to commend the Member for Calgary-Fish Creek for bringing forward this important piece of legislation. Today I stand in support of Bill 206 and urge all of my fellow members to do so as well.

Thank you, Mr. Chairman.

**The Chair:** The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much, Mr. Chair. I appreciate this opportunity to speak again. I just want to give a little bit of a quick historical perspective on why I’ve changed my mind about supporting this bill.

I wrote a letter to the hon. member, the proposer of this bill, and at that point I said – and it’s important to have this on the record – that while I support the desire of the MLA for Calgary-Fish Creek to see Bill 206 fast-tracked and passed into law, I hope you will give some consideration to my Bill 209 getting minimal time for debate in second reading.

**An Hon. Member:** What’s that got to do with it?

**Mr. Chase:** Mr. Chair, I’ll gladly explain what it has to do. Since this weekend, when I had an opportunity to chat – a lengthy chat, I might add – with a member of the Calgary school board and then again spoke not only with this member but also the chair, there were large holes that I had only spoken to with regard to funding, but they clarified a series of other concerns.

Mr. Chair, so far, in terms of providing this House with information, I have provided you with the Alberta School Boards Association’s 97 per cent report, I have referenced the parent councils’ concerns, and now I’d like to reference the Alberta Teachers’ Association’s concerns because they are the ones directly on the line, having to administer to the best of their ability Bill 206. The Alberta Teachers’ Association’s position on Bill 206:

The Alberta Teachers’ Association was pleased to [be] able to work

with [the hon. Member for Calgary-Fish Creek] to address one aspect of Bill 206 that posed particular difficulty to schools in dealing with bullying. The bill, as originally worded, would have prevented principals from suspending students for bullying and so would have compromised their ability to protect victims and also ensure that appropriate measures were in place before a bully returned to school.

[The hon. member's] amendment addressed this particular issue to the Association's satisfaction.

Nonetheless, the Association continues to be concerned that the Bill as it stands continues to characterize as "bullying" actions and behaviours that are clearly criminal in nature and that should be addressed through the criminal and youth justice processes.

The Association is also concerned that the bill conflates the role of principal and peace officer. Roles should be clearly delineated so that principals and teachers, not peace officers, are making decisions concerning educational matters. Peace officers have a role in making decisions about what measures may be taken to hold bullies accountable for their actions and protect the peace when those actions violate the law.

Such clear delineation of roles does not preclude, and would actually enhance, the ability of educators to work collaboratively with peace officers, social services, health authorities and others to address the problem of bullying generally or in specific situations.

The Association appreciates [the hon. Member for Calgary-Fish Creek's] efforts to bring attention to bullying and would welcome an opportunity for all stakeholder groups to work collaboratively with government to develop approaches to bullying that more effectively address this serious problem in advance of new legislative measures being introduced.

Now, the point I'm making, Mr. Chair, is that everyone understands that bullying is a major concern in this province. Everyone understands and appreciates the efforts of the hon. Member for Calgary-Fish Creek to put forward legislation to address these concerns. But the Alberta School Boards Association by a 97 per cent vote, the parent councils' considerations, the concerns that I've just raised from the Alberta Teachers' Association – these are the people directly involved with the bullies. The parents are the parents in some cases of the bullies and in some cases of the child being bullied. Their concerns are the ones that we need to be addressing. The teachers, who are on the front line, reinforced by the school boards and trustees, need to have legislation that will work on those front lines.

The confusion that the parents association, the ASBA, and the ATA all raised was the mixed roles that were being put upon teachers versus officers of the peace or the police.

**Mrs. Forsyth:** Peace officers.

**Mr. Chase:** Peace officers. Thank you. I appreciate that qualification.

With that muddying existing, there are concerns.

Now, when I began the debate on Bill 206 and throughout the debate on Bill 206, I have lauded the hon. member for her efforts, and I'm taking nothing away from those efforts. But, as I say, I believe the answer to this problem is a government bill solution.

3:30

Now, I would like to share with the hon. members a portion of an article written by Scott McKeen of the *Edmonton Journal* surrounding Alex Wedman, whose mother, Betty Wedman, was introduced last week to this House. Alex was the unfortunate young man who was bullied to the point where he committed suicide. This is some of the background that Scott McKeen noted in his November 22, 2009, article.

Bullying thrives in silence. But so does suicide. Consciously

and unconsciously we've taught our children that suicide is too taboo, too scary, to even mention.

We fear that talking about a person's suicide will inspire copy cats. If we talk about it, the thinking goes, other kids, our kids, might see it as a chance to go out in a blaze of glory.

Yet the hush perpetuates the shame and isolation. How can we expect a suicidal kid to reach out when the over-riding message from us is that suicide is too shameful to talk about?

We have come to believe a lie: That suicide is a failing of character in dysfunctional people or their families. Mental illness is still the subject of so much stigma, though depression is a near epidemic in North America.

Alberta leads the country in suicides, with 473 recorded in 2007.

The statistics are believed to be greatly under-reported for a number of reasons, including stigma.

But why does Alberta lead the country? One theory is that it might have something to do with our can-do attitude.

We are self-reliant achievers, don't you know? We pull ourselves up by the bootstraps and create wealth for ourselves and our communities.

That's a lot of pressure for anyone to handle, but especially a kid.

Now, I have no doubt that the hon. Member for Calgary-Fish Creek is aware of the statistics. She's aware that bullying in its most extreme forms leads to not only physical scars and psychological scars but leads to death, and it was those concerns that prompted the hon. member to stand up and try and do something about it. Again, in all sincerity, I appreciate the efforts. Parents appreciate the efforts.

**Mr. Denis:** What are you willing to do about it?

**Mr. Chase:** What I am willing to do about it, hon. Member for Calgary-Egmont, is make sure that a bill gets passed through this Legislature that has government support with the appropriate funding. Right now I am saying that this was a wonderful effort with the greatest intent possible, but it has failed because it lacks funding. It also, as a lawyer, has quasi-judicial muddying of roles of peace officers and teachers. I look forward to your defense of this bill, which 97 per cent of school boards this morning spoke against.

**Mrs. Forsyth:** And it's appalling that they don't know how to read.

**Mr. Chase:** I hope that was recorded in *Hansard* from the Member for Calgary-Fish Creek with regard to Alberta school boards. "It's appalling that they don't know how to read." Those are our locally elected, used to be semi-autonomous representatives until 1994, when the ability to account for half of their funding through the . . . [Mr. Chase's speaking time expired]

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

**Ms DeLong:** Thank you very much, Mr. Chairman. Just a comment that this hon. member who is bringing forward this bill has a history in this House of bringing forward motions that have come to protect child prostitutes. She has a history of being successful in terms of taking her bills and making sure that they are successful in the end. So it is a pleasure for me to rise and join debate in Bill 206, the School (Enhanced Protection of Students and Teachers) Amendment Act, 2009.

Alberta has one of the greatest public education systems in the world, and part of its success is attributed to providing healthy learning environments for students. These environments help cultivate students' creativity and enable them to achieve their

potential. As a government we are taking measures to foster these productive educational environments, where students feel safe and secure.

Unfortunately, however, for some students school may not be a place where they feel comfortable and respected. In fact, it can be a distressing place due to bullying and repetitive teasing. For these students school can actually become a place of fear rather than a place of inspiration, and this is why I'm pleased to acknowledge the valuable intent of Bill 206 as well as an important provision within it. Section 12.2 of Bill 206 details the places and activities where schools will enforce a bullying ban. More specifically, section 12.2(c) enables school administrators to take actions to impede bullying at any time when it may reasonably cause a substantial and material disruption at school. This is an important clause within Bill 206 because it recognizes that bullying can be perpetrated in many different circumstances.

Some of us in this Assembly may be able to recall instances in which we've observed bullying. I'm sure we can all acknowledge that sometimes these harmful acts occur outside of institutionalized or supervised settings. However, regardless of location the acts of bullying are nonetheless harmful for the victims who bear the ridiculing or physical threats. Bullying in all its forms is a truly serious issue for our school system, whether it occurs in a school or off-site.

Mr. Chairman, parents and teachers know that even with every precaution they take, sometimes students are not within their immediate supervision, and the reality is that those individuals who bully often take advantage of these unsupervised situations. For example, it's not uncommon for some students to walk home from school. The time between leaving a school and reaching the front door of the student's home may only be a matter of minutes, but this represents an opportunity for bullying. This opportunity may allow a bully to intimidate, harass, or abuse their victim. These bullying acts can harm a child physically as well as psychologically. When these children get home, they may have temporary reprieve. But the next day they return to school, and as they walk down the hallway or sit in the classroom, they're reminded of the behaviour that they have been subjected to, often realizing that more bullying may await them.

Teachers and administrators may notice the victimized student as now disengaged or depressed. While the behaviour causing these symptoms may not be happening in the view of the teacher, they can through this legislation take appropriate measures with the administration to help the student who is being victimized. Such a possible situation exemplifies the need for a clause to ban bullying which results in substantial or material disruption.

Mr. Chairman, statistics show that those who are affected by these types of torment are sometimes reluctant to come forward out of fear or the false belief that nothing can be done. Implementing an effective course of action to deter bullying will help to empower victims. If they know that there's something that can be done, they will feel more comfortable coming forward. We want these students to understand that there are supports in place and that help is available. The consequences of inactions are sometimes severe and in any case always harmful.

One parent's testimonial, which was articulated on an antibullying website, speaks with candid conviction to this issue. The parent wrote of her regret of not acting when her child came to express her troubles from bullying. In this case the child, who could no longer withstand the constant ridiculing, took her own life. This story emphasizes how serious this issue is.

While there is no easy solution to this complex social problem, we must be vigilant in our efforts as a government to work towards

reducing bullying in our schools and in our society. This involves educating students, parents, and school administrators about the consequences of bullying and the impact it has on students' well-being and learning experiences. Students must be encouraged to speak out. Through Bill 206 and sections such as 12.2(c) we're setting in place a framework to ensure that if concerns are raised, something will be done.

3:40

Education is the foundation of a productive and prosperous society. As a component of our government's efforts to stop bullying, we are working to inform Albertans of its negative impacts by providing educational resources to build awareness. This initiative will be strengthened through antibullying legislation and will work to ensure that bullying in our school systems is not tolerated or ignored. We know that these are important measures to reducing the instances of bullying in educational settings and society overall. For Alberta students we want schools to be safe and secure learning environments.

I commend the hon. Member for Calgary-Fish Creek for her steadfast dedication to raising awareness on this challenging social issue. I believe that our government is well served to look at any measures we can to work towards the reduction of bullying in our school systems. Therefore, I will be voting in support of this legislation, and I do urge all my hon. colleagues to do so as well.

Thank you, Mr. Chairman.

**The Chair:** On my list here, the hon. Member for Calgary-North Hill.

**Mr. Fawcett:** Thank you, Mr. Chairman. I'm pleased to have the opportunity to rise today and contribute to Committee of the Whole on Bill 206, the School (Enhanced Protection of Students and Teachers) Amendment Act, 2009. This act is being brought forward by the hon. Member for Calgary-Fish Creek, and I'd like to take the time to applaud her for both the intent and wording of this valuable piece of legislation.

Mr. Chairman, as discussed in second reading, the goal of Bill 206 is to ensure the safety of both students and teachers by providing new direction for addressing cases of bullying. In addition, this legislation would require mandatory reporting of all cases of bullying and allow police officers to order mandatory court summonses in severe cases of bullying.

In order to have comprehensive antibullying legislation, there needs to be a comprehensive understanding of the issue of bullying. Mr. Chairman, this brings me to section 12.2 of the bill. This section reads:

No student shall bully another individual

- (a) in a school, on school grounds, on a school bus or at an activity sponsored or approved by a board,
- (b) by means of a school computer or the Internet accessed through a school computer, or
- (c) at any other time where such activity may reasonably be expected to cause a substantial and material disruption at school.

Mr. Chairman, within this section I find that part (b) may require some additional debate. In essence, this section addresses the growing issue of cyberbullying. Cyberbullying is a new phenomenon that has come about as a side effect from the information and electronic age. Simply put, cyberbullying is any bullying performed using an electronic medium. This could range from hate e-mails to website chat rooms and social media networks, such as Twitter and Facebook and MySpace and any other ones that exist out there. While it is true that cyberbullying does not result in direct physical

assault in many cases, I would argue that the effects of this type of harassment are equally as harmful.

Mr. Chairman, emotional injuries can last a lifetime and can lead to feelings of sadness and helplessness, which can contribute to an overall state of depression. In turn, these negative feelings can lead to aggression and violence. One only needs to look at the chilling examples of Columbine, Taber, and Virginia Tech to understand that violence, hate, and suffering cannot be allowed in our schools.

Bill 206 is a testament to our commitment to keeping our classrooms safe and free from bullying and intolerance. Further, section 12.2(b) recognizes that bullying has evolved with modern technology in that classrooms are no longer being confined to schools. Rather, students can learn how to interact with one another across the globe. A child in Edmonton could be instructed alongside a child in Peace River, in turn could be taught by a teacher in Red Deer. Mr. Chairman, the children in these virtual classrooms need to have the same level of protection as students learning in conventional environments. While these virtual classrooms are protected by this legislation, I feel as though cyberbullying should perhaps be addressed as if it were an extension of conventional bullying.

Bullying no longer stops when a child leaves for home. Now bullies can harass their victims in the classroom and on the playground and then continue this negative behaviour over the Internet. In addition, the Internet allows bullies to remain anonymous. Users can log on to chat rooms or post on websites using an alias, enabling them to harass their target without fear or reprisal. Unfortunately, the protection of being anonymous is not extended to the victims.

Mr. Chairman, not only are cyberbullying targets harassed by anonymous individuals, they are attacked openly in public in the view of the entire world. For example, bullies using an alias can write a harmful or threatening message on a victim's Facebook wall, which can in turn be viewed by all individual friends and peers.

In the past bullying was isolated to schoolyards and local neighbourhoods, but with the global reach of the Internet a child could be harassed by people from across the province. Section 12.2(b) recognizes this unfortunate reality and acts by placing restrictions on the use of school computers. Specifically, this bill gives teachers, principals, and school resource officers direction to help them confront bullies who engage in cyberbullying when using school property.

In turn, addressing cyberbullying at school may help to prevent cyberbullying at home as well. After all, a student who engages in cyberbullying at school is probably more likely to commit the same offence while at home. Furthermore, if school officials are given the powers proposed by Bill 206, it would enable them to address the issue at hand and, hopefully, end the harmful bullying relationship. In my mind the strength of this bill rests in the way it clearly defines bullying, thereby enabling school personnel to actively intervene and engage in cases of bullying.

Mr. Chairman, I believe that the easiest and most effective way to end bullying is to get an authority figure involved. Essentially the parameters of section 12.2(b) enable authority figures to become involved in cases of cyberbullying. This section is just one example of the well-thought-out planning that went into this draft legislation, and this is commendable.

I am particularly impressed by how the inclusion of section 12.2(b) recognizes that bullying is continually evolving as a problem as technology does. Cyberbullying is simply the latest link in this evolution, but I believe it has the potential to be one of the most common forms of bullying as we move forward. I do applaud the hon. Member for Calgary-Fish Creek for the courage and conviction it took to address such an important issue, and I thank her for the commitment she has shown to Alberta's children, youth, and students.

I just want to add, Mr. Chairman, that as chair of the Youth Secretariat for the province I had the great distinction of meeting with this year's Youth Advisory Panel for the first time this past weekend and came away quite impressed with the number of youth that have been selected from across this province to sit on the panel and provide feedback to government on policies and programs that affect youth in our province.

3:50

As I sat around that table this weekend, I realized how important this issue is. A number of the comments provided to me from the members that sit on this panel expressed real concern about the types of bullying and interactions that youth have amongst their peers and the long-term effects that they have in the lives of these individuals that are bullied. I really do applaud the Member for Calgary-Fish Creek in tackling this issue.

It's really unfortunate that we have a member in this Assembly that has deemed this not too long ago to be a bill worth supporting and, because a group of people for whatever reasons they have do not want to support that, then flip-flops on the issue. Mr. Chairman, this issue is way, way, way too important to have that sort of flip-flopping happen.

It's really bothersome, Mr. Chairman, to see that type of thing. There may be challenges in implementing some of this legislation because it's new and because it's innovative. There is no doubt about that. I don't want to speak for the hon. Minister of Education, but I'm pretty sure that he's very much open, if this bill does pass, to working with school boards on how it is implemented at the board level and within the specific schools. For those reasons I would just hope that that hon. member changes his opinion.

**The Chair:** The hon. Member for Calgary-Buffalo indicated he wanted to speak.

**Mr. Chase:** Yes, and he's ceded the spot to me.

**The Chair:** All right. The hon. Member for Calgary-Varsity, then.

**Mr. Chase:** Thank you very much. If I correctly understand the Member for Calgary-North Hill, he would like me to flip-flop back to my original position. Now, it's interesting that the hon. Member for Calgary-North Hill is a former trustee with the Calgary board of education. So quickly we forget our former allegiances and the concerns presented.

Now, to the hon. member's credit, he brought forward the modern face of bullying, cyberbullying. It is as real and it has the same emotional effect and destruction of character in a lot of ways that physical violence has. Cyberbullying is more the realm of the female than it is of the male in terms of undermining and assassinating character, but it is an important form of bullying that has to be dealt with. Unfortunately, Bill 206 comes short.

It's very important that not only the Member for Calgary-North Hill but all members read the *Hansard*. When they bring up an accusation such as I'm flip-flopping . . .

**Mr. Anderson:** It's pretty self-evident.

**Mr. Chase:** The word "self-evident" is used. When further evidence is provided which adds clarification, do we simply put our hand over our mouth, our hands over our eyes, and our hands over our ears and reject that because it's new and relevant current information, or do we stay stuck in our past commitment and go blindly ahead regardless of the consequences? Ninety-seven per cent of Alberta school

boards' representatives said that this is not the vehicle. Yet some members are so attached to this vehicle, which is now wheel-less, that they're continuing to fight for it.

Bullying is a problem beyond a doubt. Where I left off before, the point I was trying to make was that in 1994 when school boards lost the ability to collect the local portion of the education property tax, they surrendered half of their autonomy. We've had examples with this government who actually stepped in and fired school boards. We've had examples from this government where they did external audits of the Calgary board of education, much like Bill 202 was suggesting for cities, and found nothing wrong, and this was the school board that they fired. It is important that all levels of government – federal, provincial, municipal, and in this case, school boards – work together and support each other for the common good of Albertans.

I would like to return the floor to the hon. Member for Calgary-Buffalo and appreciate his giving me this opportunity to stand up for my integrity.

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

**Dr. Sherman:** Thank you, Mr. Chairman. I'm honoured to stand today and participate in the Committee of the Whole debate on Bill 206, the School (Enhanced Protection of Students and Teachers) Amendment Act, 2009. First of all, I would like to thank the sponsor of this bill, the hon. Member for Calgary-Fish Creek, who has worked hard to bring this legislation forward.

Mr. Chairman, just the fact that we're having this conversation. I really wish that we didn't have to talk about this. I'll tell you why: the number one cause of death for young Albertans and young Canadians under the age of 44 is suicide. And not only suicide. We have 60,000 to maybe 100,000 of our young people seeking mental health services every year. Young women attempt suicide three times more often than young men. Young men complete the act of suicide three times more often than young women. Usually they try harsher methods, more violent methods. Despite what we have done to deal with mental health issues over the decades – despite what we have done – this number has not come down.

The causes of children's mental health issues are multiple and many. One of the biggest difficult times in a young person's life, especially a teenage person's life, are those vulnerable teenage years and the years leading up to those years. Working families go through difficult times. One of the most difficult times for hard-working families is what happens to the children when they leave their home. Most of the time they spend in school or in the community with their friends.

Now, bullying is an issue that is very important because school is a place where you should come to learn and grow and aspire to greater heights. But when you have to go to school and worry about whether you're going to get a black eye or get your nose broken and constantly be threatened, the last thing young people are able to do is concentrate on their studies and on the task at hand, which is to learn and to gain knowledge, when really they have to wonder what's the safest way to get home because they want to know if the bully is going to be on this route to home or that route to home or whether they can eat their lunch inside or outside safely. I believe that there has been a lot of good work to address this issue. However, I do believe that there is more work to be done.

Now, this very important bill, Mr. Chairman, would not only protect students and teachers but would also help to ensure that the schools are as safe as possible, making certain that weapons, drugs, and bullying do not have a place in our schools. In our era it was just bullying. Now we're talking about weapons and drugs.

Growing up, I confess to being bullied when I was young, but weapons and drugs weren't an issue in our school at that time. My children are teenagers in school right now, and it concerns me that my children have to possibly contend with somebody bringing a weapon to school.

Schools must be safe in order to foster an environment of learning. Bill 206 intends to enhance this safety by providing school staff, administration, and law enforcement with the tools and the ability to effectively manage situations that involve weapons, drug paraphernalia, and bullying. Specifically, I would like to address the procedures that educators and law enforcement can take when there is a contravention of this act as described in section 23.1. Mr. Chairman, it's vital that proper guidelines are established and that a procedure is in place to deal with bullying, weapons, and drug-related infractions. In the real world when our young people become adults, these are criminal acts. If anyone does this in the real world, you would be going to jail, or you would be going to court.

4:00

The first part of section 23.1 outlines the procedures for teachers to take after becoming aware of bullying. Mr. Chairman, teachers are the ones who know the students best and are often the first line of support for students. Also, they thoroughly understand how bullying can negatively affect not only particular students but an entire learning environment. Teachers know that these kinds of aggressive and threatening behaviours can render a learning environment very toxic. This bill specifies that if a teacher becomes aware that a student may be involved in bullying, the teacher must advise the principal, who, ultimately, is responsible for the environment of that whole school. This first step sets out a clear reporting procedure for notification so that teachers will know who to consult upon becoming aware of bullying situations.

In addition, this bill also gives direction for principals who are made aware of bullying. Under section 23.1 it is stated that once a principal becomes aware that a student may be involved in bullying, he or she must consult with the school board, thereby ensuring their awareness, and may at his or her discretion consult with a peace officer. This is a crucial part, Mr. Chairman. It's at their discretion. These procedures provide flexibility in handling varying bullying situations. If a bullying situation is deemed serious enough to involve law enforcement, this section permits a principal to do so.

This bill also sets out procedures for how a peace officer may go about dealing with these situations. It is clarified under section 23.1 that if the peace officer, after having been consulted by a principal, believes that the student has been involved in a bullying situation that contravenes the act, the principal and the peace officer may determine an educational measures program for the student to participate in. Mr. Chairman, this section strikes a balance that ensures school principals and boards are aware of instances of bullying while also providing them with additional tools they can use to manage a situation when it is merited. These educational measures programs can take many forms such as counselling or therapy. Presently schools are predominantly using school suspension as a means of addressing bullying behaviour.

Mr. Chairman, many teachers and educators would tell you that suspensions and expulsions may not necessarily be a suitable consequence to help the offending youth in all situations. This bill recognizes the complexity of bullying situations and provides the protocols and direction to school administration that allow them to effectively address and manage these issues. Furthermore, section 23.1 of this bill directs a principal to advise school boards of any direction that they have given. Therefore, this bill continues to involve the entire school system, from the teacher to the principal to the school resource officer and the school board.

Bill 206 works to assist schools by both providing them direction for managing bullying situations as well as providing additional tools for dealing with youths involved in committing acts of bullying. With the passage of this bill I believe that learning environments in Alberta schools will benefit. In a world where sound education can assist in economic prosperity, it's imperative that all students receive the best education possible.

Mr. Chairman, I'd also like to speak on behalf of the bully. Hurting people usually hurt people. These bullies are young people. They themselves have many issues, which may be an issue at home with a dysfunctional home environment. The person doing the bullying may have an emotional or mental health issue. Part of this is addressing getting the bully some help. After all, even the young people doing the bullying are still our children. I think we need to take a balanced approach not only to protect one group of children but also to help another group of children. I believe these measures are not here to punish the kids; we need to get them some help.

At the end of the day, Mr. Chairman, all evidence points to the fact that those who bully when they're young end up bullying when they're older, and when they become adults, many of these bullies end up having many visits with the judicial system or the penal system. I can say first-hand that as an inner-city emergency doctor I've seen a lot of violence and the end result of a lot of violence.

Mr. Chairman, I think this will go a long way in ensuring that our educational system can be the best in the world, and I thank the hon. Member for Calgary-Fish Creek for introducing this bill.

Thank you.

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

**Mr. Hehr:** Well, thank you very much, Mr. Chair. It's a privilege to rise and speak to Bill 206 this afternoon. I was listening intently to many of the speakers beforehand as well as following this a little bit in the papers and some other places of note. I'll make my comments sort of based upon what people have said and what, I guess, people who are in a position of knowledge on what is happening in our school system think should be done to best handle bullying.

I appreciate the comments of the Member for Edmonton-Meadowlark in that school is often a very difficult place to be, and we should do our best to not only protect children from bullying behaviours but to get the people who are bullies some of the help they may need to live better lives and become better, participating members of the community. In the words of Rodney King: can't we all get along? I think that is essentially what we're trying to do here. There's no doubt that our school system has to be part of that leadership and part of educating our youth and trying to lead them into behaviours that are most productive for our society.

On that note, I can say that the intent of this bill in trying to eliminate or, in fact, reduce bullying behaviours in the school system is an honourable one. The Member for Calgary-Fish Creek should be applauded for going through the channels, for working on such a bill, for coming up with some remedies that she believes will add some more teeth, shall we say, to legislation, making bullying not a crime but something that can be followed up by police officer, parent, and teacher alike by combining a lot of resources in your community to deal with an issue that happens at your local school.

It's on that note where we look at some of the merits, and I'll continue on there. The intent of Bill 206 would be to amend the Alberta School Act to provide protections for teachers and students from those students who choose to bring a weapon or a controlled substance or other item identified by the Minister of Education onto school property. It is also meant to prohibit bullying behaviours. Bullying is quite broadly defined to mean repetitive harassment of

an individual to maintain an imbalance of power over that individual through such methods as gestures, verbal or written abuse, stealing the possessions of that individual, threats of actual physical or sexual assault to that individual, or death threats. The bill specifies that no student is to either possess a banned item or to bully another individual in a school, on school grounds, on a school bus, or at an activity sponsored or approved by a board. Use of a school computer or the Internet accessed through a school computer to bully another is also prohibited.

We can see that this legislation is tailored towards stopping the bullying at school. You know, let's face it. The education system is even broader than that in trying to stop bullying behaviour throughout one's life through the education process and making people more accountable both to themselves and to each other.

**4:10**

If we continue on, the balance of Bill 206 outlines the consequences for engaging in a prohibited act. Essentially, a student who is suspected of having engaged in a prohibited act may possibly be referred to what is called an educational measures program. While that term is not defined in Bill 206, the assumed intention is that such a program would educate a student on the harms that can be caused by engaging in a prohibited act and the consequences for the student in doing so. The bill states that "the board must provide for educational measures programs" – and here's where some of this stuff comes in – presumably at its own cost.

The bill further provides that the community's police officers potentially become involved in the matter and work with the school on assessing and referring a student to an educational measures program. I think that where some of the problem emerges here is: what is this educational measures program? Is it after school? Is it on weekends? Is it taught by teachers? Is it taught by principals? Is it taught by police officers? And, I guess, at the end of the day, who pays for it? That's a question.

I think the hon. Member for Calgary-Fish Creek has brought a decent bill to the front, but with this being one of the remedies that she provides in the bill, to refer someone to an educational measures program, she is referring to a money bill.

**The Chair:** The chair hesitates to interrupt the hon. member, but pursuant to standing orders 8(7)(a)(ii) and 8(7)(b), which state that all questions must be decided to conclude the debate on a private member's public bill which has received 120 minutes of debate in Committee of the Whole, the chair must now put the following question to conclude the debate.

[The clauses of Bill 206 as amended agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I move that the committee rise and report Bill 206.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Calgary-Hays.

**Mr. Johnston:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration a certain bill. The committee reports the following bill with some amendments: Bill 206.

**The Deputy Speaker:** Having heard the hon. Member for Calgary-Hays, does the Assembly concur in the report?

**Hon. Members:** Concur.

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

**Public Bills and Orders Other than  
Government Bills and Orders  
Third Reading**

**Bill 206**

**School (Enhanced Protection of Students and Teachers)  
Amendment Act, 2009**

**The Deputy Speaker:** The hon. Member for Calgary-Fish Creek to move third reading of Bill 206.

**Mrs. Forsyth:** Thank you, Mr. Speaker. It's my pleasure to move third reading of Bill 206, the School (Enhanced Protection of Students and Teachers) Amendment Act, 2009.

This bill will deal with a problem that has a very human side. There is the kindergarten student who is beaten up in the schoolyard, the elementary student who is afraid to ride the school bus because they will be tormented with vicious name-calling, the junior high student who is embarrassed and ostracized when lewd photos are posted on Facebook, and the high school student who is brutally assaulted during a hazing incident. These incidents would be serious enough if they were just a one-off, Mr. Speaker, but the reality is that they are often just a piece of an organized campaign of terror, a cruel pattern of behaviour that rapidly turns the victim's life into a living hell, a cycle from one moment of anguish and fear to another.

I've talked before about some of the victims, and I want to remind my colleagues about their stories. There is the seven-year-old child who lives in my constituency that has seen a psychiatrist, and he is suicidal. There is a boy in Edmonton who committed suicide after a series of gruesome attacks, attacks that left him with injuries like an eight-centimetre blood clot in his testicles. When I hear the stories of these victims and their physical and psychological wounds, it seems like something from a conflict in a far-off land. These are the types of injuries that you expect refugees to have, and in a sad way that is what many of these children have become. Refugees in their own schools, they're forced to hide on the playground and alter their walks home. Eventually they have to flee the school and find somewhere else where they can live and learn in peace, but this often doesn't work. The bullies sometimes follow them to a new school, or a whole new set of children bully them, and it's time to stop this.

Bill 206 will go a long way to stopping the problem. It's going to ensure that each and every incident is dealt with, that we have adequate documentation when cases escalate, and that statistics are available to identify trends and allow policy-makers to act.

The second piece of this bill, as I have talked about, deals with drug paraphernalia and weapons. It's going to make it so that simple possession is illegal; no more having to prove intent. The problems of drugs, weapons, and bullying really go hand in hand, Mr. Speaker. We know that hazing incidents, especially, often involve weapons. There are hockey sticks and there are baseball bats, canoe

paddles, and all sorts of other stuff modified to commit assault, and right now it's not illegal to have one of these things at school. Why would you want to have a goalie stick with the blade cut off and holes drilled in it in your locker? We know that the reasons students do this is to commit assault, so let's stop that problem before it happens. And the same goes for drugs. Crack pipes, as far as I know, have nothing to do with the curriculum, but they are part of the problem and part of a culture that can make our schools unsafe and violent places.

I want to end by sharing yet another story by a mom. This story is just one example of the many that I've been inundated with. Her son went to a local school. He was beaten repeatedly. One day in a school class he's surrounded by five students in a corner. They are armed with a metal pipe. They threaten to shove that pipe somewhere not very nice. Fortunately, he had some training in martial arts and was able to defend himself. But our children should not have to defend themselves, Mr. Speaker. We should be defending them.

Bill 206 will defend our children and our teachers and everyone else who works in our schools from the mean-spirited behaviour of bullies, and I urge my colleagues to support this bill in third reading.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Hon. Member for Calgary-Buffalo, you wish to join the debate?

**Mr. Hehr:** Sure. Yes.

**The Deputy Speaker:** Go ahead.

**Mr. Hehr:** Well, thank you very much, Mr. Speaker, for allowing me to rise and continue on here in third reading. For those following along, I was cut short on my comments in Committee of the Whole, so I'll try and just get to the point where I was relatively quickly and move on from there.

I think, basically, I can agree with those comments the Member for Calgary-Fish Creek has said. Our schools shouldn't be places where children go to be tormented, bullied, or the like. Oftentimes some of the things we see at school are difficult to understand. What I'm getting to is that I think the intent of her bill is fabulous. It's something we should all aspire to, and a school system is actually trying by educating its children to take the bullying out of bullies and, I guess, to protect, then, people who are being bullied and give them the internal strength to stand up for themselves and at the same point in time have the two communities come together, work together, play together, and share together in a better way in the future. I think this bill, the intent of it, would be that, to try and lead to a more productive, more helpful, more caring, more sharing society, which I essentially agree with.

**4:20**

While I do agree with the intent of the bill, what it comes down to, where I sort of left off, is that the bill states that the board – and I'm assuming those are the various boards around this province – must provide an educational measures program, presumably – and here's where it comes in – at its own cost. This educational measures program is where you would send the bully on whatever recommendation it is to where they can go get some, I guess, behaviour modification class, for lack of a better term, or they can learn more about how their actions are affecting another individual, whatever you may have.

But let's be clear here. This educational measures program does not exist right now in the school system. At least, that's what



individuals at various school boards are under. They recently had their meeting, where 97.6 or 97.8 or 97.4 per cent, anyway at least 97 per cent plus, said that they aren't in favour of this, and one of the reasons was that they don't currently have an educational measures program.

**Mrs. Forsyth:** Why not?

**Mr. Hehr:** Exactly. The Member for Calgary-Fish Creek asks a very important question: why not? I couldn't agree with her more, that maybe this does have to come in.

But let's also make it clear, then, that this is a money bill. It's going to have an effect of having more costs associated either to a board or the provincial Legislature. If the hon. member is doing it with the intent of passing along these costs to the board, well, then that's something that, you know, the boards are having a difficult time with right now, and I think it should go back. Like the hon. Member for Calgary-Varsity states, if this Legislature truly, honestly believes that this is something that is needed, some day it can be implemented. Let's rework it and send it back as a money bill. I think the hon. Member for Calgary-Varsity was pretty clear on that, supporting those intents of reworking through some of the bugs and alleviating some of these fears that the school boards have.

I think there are, honestly, also some other things at play here. There are some recommendations here. First, if a teacher or board is aware that a student may have committed a prohibited act, the board or teacher must advise the principal. Secondly, once a principal is aware that a student may have committed a prohibited act, the principal must consult the board and may consult with a police officer. The bill does not provide guidance to a principal as to when a police officer should be consulted, but it should be noted that in order for a referral to be made to an educational measures program, that decision must be jointly made by both the principal and the police officer.

Well, you know, are there provisions in the School Act? Maybe the hon. Minister of Education wants to add his comments to this as to how he sees this provision being worked on, or maybe you guys already have a plan in place on how the police officers are going to be brought in to advise the school system and set up a time that the principal can make in his day to have a weekly meeting with this police officer. It can be addressed in further going through school acts, I guess, in how schools are going to be maintained, but it doesn't seem to be something that can be easily worked out at this time without some money being put into it, let's face it. I'm assuming that most of our principals are pretty busy through the day and that this will be an additional job for them to do.

Thirdly, if a principal determines on reasonable and probable grounds that a student may have committed a prohibited act, the principal may meet and consult with the student and the student's parents and the police officer that the principal may have involved. It should be noted that the bill does not require that the student's parent or guardian be notified before a principal consults with a police officer on the matter. Well, look at this term: reasonable and probable grounds. I know we educate some of our legal practitioners on that. I know we advise our police officers on that. I hope we're going to maybe have a course for our teachers to take to know that criteria and what that criteria in law sort of means.

Fourthly, should a police officer that has been engaged believe on reasonable and probable grounds – they at least will know this – that a student has committed a prohibited act, the police officer and the principal may determine that the student participate in an educational measures program, in which event the principal must direct the student to participate. There is that educational measures

program again. Where is it to fit in the curriculum? What time is it supposed to happen? Is this after school, before school, lunch hour, weekends? Who's supervising it, who's teaching it, who's paying for it, all those things? It seems to me that those should be answered, and we shouldn't just be blindly going along here without having those questions answered. I think that's fair.

I think we bring up some valid concerns. It's not that we don't support, necessarily, that this would be a good thing for school boards to go down. It just looks like there are a lot of unanswered questions, primarily on the funding front of things. What's going to happen?

You can also look at this. There are some concerns brought up by many school boards that a legal interpretation of the bill, should it become law in its current wording, can only be given by the courts, and several potential concerns are noted. There is a concern about the implications of involving police officers and, by extension, the criminal justice system in a board's decision-making process on how to address student behavioural issues.

At one end of the spectrum, where such behaviours may not be traditionally regarded as a particular threat to other students or to operations, such involvement may tend to criminalize behaviours that have previously been effectively addressed through the school working with the students, parents, or guardians. At the other end of the spectrum, Bill 206 may introduce a response process that prevents a board from promptly addressing more serious behavioural issues, that would typically result in immediate suspension from school, in order to ensure that the offending student is withdrawn from the school environment. You see that question emerge because of the "may," "might," and "must" language in the bill that's being proposed: you must enrol in one of these programs that are going on. Significant questions may arise with respect to the capacity of administrators to apply judicial or quasi-judicial tests such as determining reasonable and probable grounds in ways that are fairer from an administrative law perspective.

Thirdly, reference to weapons and controlled substances that are tied to the Criminal Code and the Controlled Drugs and Substances Act may be problematic in terms of administrators appropriately being able to discuss this.

**The Deputy Speaker:** The hon. Member for Calgary-Nose Hill.

**Dr. Brown:** Thank you, Mr. Speaker. I've listened with interest to my colleagues in the debate on Bill 206. What all of the speakers have in common and a view I share is that bullying and violence, whether it's actual or threatened, whether it's written or verbal or communicated electronically, are certainly an unacceptable part of our education system, have no part whatsoever in our education system. Where there is a difference of opinion, however, is whether this bill is the correct means of addressing these issues. As MLAs we don't have all of the answers. My own teaching experience is limited to university students, so I don't have any direct experience with bullying in the classroom, and we never had any weapons or drugs, to my knowledge, in our classrooms or in our hallways.

4:30

I have to rely on the information and opinions not only of my colleagues here in the Legislature but also, and perhaps more importantly, on the views and opinions of those who are presently charged with the administration of the School Act. I'm referring, in particular, to the communications that my hon. colleague from Calgary-Varsity pointed out from the Teachers' Association and the school boards. Those individuals are, certainly, most familiar with the operations of the schools as they presently exist and with the

measures that are now in place to deal with bullying and weapons and drugs in the schools. They are also in a position to determine what the implications of the present bill might be to their operations, should it be passed.

I did have a long conversation, Mr. Speaker, with my school trustee from the Calgary board of education, the largest school board in the province of Alberta, who shared with me some of the concerns that she and the other trustees from the Calgary board of education have, both from a practical and a legal standpoint, resulting from this bill.

I also have some hesitation as a result of the communication of the results of the vote this morning from the Alberta School Boards Association, which, according to my information, had voted overwhelmingly, by a percentage of 97 per cent, to oppose the bill. So with the greatest of respect for the intentions of the sponsor of the bill, Mr. Speaker, I'm not prepared to support Bill 206 on third reading. I must defer to the views of those who are charged with the administration of the School Act and with its operations and with the implications that this bill has for the conduct of their operations in Alberta schools.

**The Deputy Speaker:** The hon. Member for Calgary-Hays.

**Mr. Johnston:** Thank you, Mr. Speaker. I'm pleased to rise today to participate in third reading of Bill 206, the School (Enhanced Protection of Students and Teachers) Amendment Act, 2009. I'd like to commend the hon. Member for Calgary-Fish Creek for bringing forward this legislation. This bill would have an immense impact on the lives of many in the province. By strengthening the protection in schools from bullying, Bill 206 would ensure students and staff are even safer on school property.

While we often focus on protecting students that are being bullied, it is also important to understand that bullies are also in need of attention. To this end and in addition to protecting victims of bullying, Bill 206 works with bullies through a new tool such as the educational measures program. Specifically, Bill 206 further compels bullies to participate in such programs.

This brings me to section 23.2, which addresses what happens when a student wilfully ignores the measure that he or she has been instructed to take to help address the problems at hand. Section 23.2 states that "a student who fails to participate in an educational measures program, as directed under section 23.1, is guilty of an offence." To completely understand the wording and meaning of this section, section 23 needs to be examined in further detail.

Essentially, section 23.1 states the course of action that a principal and peace officer must take when an individual has a banned item or bullies another person on school property. In particular, subsection (4) of section 23.1 states that "the principal and the peace officer may determine an educational measures program for the student to participate in, and if such a determination is made, the principal must direct the student to participate in that program." This subsection is crucial to the understanding of section 23.2 as it may compel a student to be enrolled in an educational measures program.

Oftentimes incidents such as bullying can result in suspensions or expulsions. Bill 206 offers an alternative. Mr. Speaker, in my previous career I was never a supporter of suspensions or expulsions as this would have the youth at home by themselves or getting involved in gangs or other antisocial behaviour or even criminal activity. The alternative is an educational measures program. This is used in a broad term so that such a program can be tailored to the student's individual needs. Educational measures programs can get to the core of the behavioural issue whereas suspension may not. In fact, some would say that simply sending a student home without

any additional measures or penalties may further exacerbate the problem. When a student is sent home on a suspension or expulsion, often the parent is not there to supervise. They may be working or unable to effectively parent.

Furthermore, bullying is not limited to a school setting, so removing them from the school may not be the best way to help them control their aggressive behaviour towards others. This is the purpose of an educational measures program, to address the student's issue in a safe, supportive environment. Mr. Speaker, section 23.2 complements this initiative by compelling students to engage in these programs, which are designed to help them. This section accomplishes this through clear and concise wording. The words "fails to participate" are used. This is a strong statement, however. Failing to participate not only means actually showing up but actively participating. Just showing up is not good enough.

The goal of Bill 206 is to address the issues of bullying, and if a student ignores the program set out for them, then the problem cannot be addressed. By failing to comply with an educational measures program, the legislation is clear that the student is guilty of an offence. Mr. Speaker, 23.2 compels the offender to follow the program set out for them or face severe, life-impacting consequences. By using the phrase "guilty of an offence," there can be no question that there are consequences for not participating in the program deemed appropriate for the student. By these means the student cannot ignore the program. The reality is that the principal and the peace officer are looking out for the best interests of all their students and even the bullies.

It is essential that bullying tactics are stopped so as to prevent them from carrying on throughout the student's life. This section ensures that the measures taken to address bullying are enforced. I therefore feel as though it's integral to the overall meaning and impact of the bill. Ultimately, Mr. Speaker, Bill 206 is clear and concise, and it's important that it is given careful consideration.

Thank you again to the Member for Calgary-Fish Creek for bringing such an important piece of legislation forward.

Thank you, Mr. Speaker. I look forward to further debate.

**The Deputy Speaker:** Hon. members, I noticed previously that the hon. Member for Calgary-Varsity stood up and then the hon. Member for Airdrie-Chestermere and then the hon. Member for Calgary-Egmont. Thank you.

**Mr. Chase:** Thank you very much, Mr. Speaker. The hon. Member for Calgary-Nose Hill, who by previous practice is a lawyer, introduced some of the concerns with regard to legal implications of the enforcement of the bill. He also made the comment that everyone in this House – I may be paraphrasing, and I hope I'm not straying too far – is concerned about bullying.

There's no doubt that bullying has no place in schools. As the hon. Member for Calgary-Hays noted, we need to act and we need to act immediately. It's extremely important that we do act. But the more I review Bill 206, that doesn't have any funding, that does not have an educational measures program to refer students to, this is doomed to failure.

I'm going to use the expression of putting the cart before the horse. I'm going to quote from an article published today in the *Calgary Herald* by Sarah McGinnis, the title of which is CBE Urges Boards to Speak Out against Anti-bullying Bill. We already know the results of that CBE vote. It was 97 per cent in opposition to this bill, as the hon. Member for Calgary-Nose Hill indicated, lest anyone think that it's just my own interpretation of the vote.

This is what is attributed to the hon. Member for Calgary-Fish Creek: "As for the educational programs to be offered bullies, [the

member] said those have to be developed in conjunction with education stakeholders before her bill – should it receive third reading – is made law.”

**Mrs. Forsyth:** No, I didn't say that.

**Mr. Chase:** Well, I'll go on. I'll read the quote, and if it's incorrect, we'll deal with that. It says, and this is in quotes: “The education program has to go into consultations with the people on the ground, the principal and teachers working with these kids. They know the types of educational programs that need to be given to these kids far better than I do.” [interjection] That's accurate. Thank you, Member for Calgary-Fish Creek, for recognizing the accuracy.

4:40

**Mrs. Forsyth:** And then I said: before it becomes law.

**Mr. Chase:** Yes. Okay. And then adds: before it becomes law.

The point I'm making is that this all should have been done before we're talking about the legislation. In other words, the consultation, the development of the program, the funding: all of these measures should have been in place, and then the law basically ensured that all this research and development, funded development, is now a law, and it's ready to be delivered at the school level because the educational measures programs have been developed. There will be some, I'm assuming, opportunity with funding provided for teachers to be trained and then the in-servicing of this educational measures program, which is to be developed.

The point I'm making is that all this consultation and collaboration and creation should have preceded the legislation. What we're doing is saying: “Okay. Yes. We still have to do this, we still have to do that, and we still have to do the other thing before it becomes law. But, you know, I'm going to be out there, and I'm going to consult. I'm going to take all these necessary measures.” My point is that these necessary measures should have been taken beforehand so that this thing could quickly get passed into law. Without those measures being taken, we're still in this twilight zone of uncreated programs.

Now, I just want to contrast that with the manner in which the hon. Member for Calgary-Fish Creek approached the Crime Reduction and Safe Communities Task Force. To her credit she and her task force toured the entire province. She gave up days of her life. She was so thorough with the Crime Reduction and Safe Communities Task Force that it met twice in Calgary.

I had an opportunity at both meetings, the University of Calgary and at a hotel approximately on 19th Street and 16th Avenue, that used to be called the Crossroads – I forget what the name of it is now – to talk about the importance of school resource officers and the need to have school resource officers involved in creating relationships with kids so that the perception of peace officers was enhanced. Beyond a doubt, having resource officers in the schools would definitely be an asset with regard to bullying because you'd have both sides of the matter. You'd have the principal enforcing the School Act, and you would have the resource officer, with considerably greater availability, dealing with the Criminal Code issues, so it would be a partnership. But that has not happened. We're saying that will come at some undetermined point in the future. I want this thing to go through successfully, with funding and with consultation and collaboration. The faster we get it right, the better.

Now, further on in Sarah McGinnis's article it says, “Calgary-Varsity Liberal MLA . . . also presented an amendment calling for principals to take action if, in their opinion, bullying is taking place.”

Like the hon. Member for Calgary-Hays, I want action. I want it to take place. I don't want it to be may. I want the action to be must. But the action has to be based on a premise that is supported. There has to be a bullying program. There has to be funding for teacher in-servicing. There has to be curriculum development at the university.

The quote that's attributed to me, which is accurate, is: “Without funding to create a bullying curriculum, to provide teacher in-servicing and curriculum instruction courses at the education faculty for student teachers, nothing will change.” It's not going to change unless we have some active programming with in-servicing and curriculum instruction to implement the program. Right now we have some potential rules that could work towards improving the current state of bullying, but we've got no program, and we've got no funding for the program.

The article goes on to say, “Aside from these changes, the proposed legislation still does not take into account the anti-bullying efforts currently in place in Alberta schools, or assess how well they are working.” The background information is attributed to Lynn Ferguson. “Bullying is an important issue to be addressed in our schools,” said Ferguson. We all agree. Everybody agrees that we have to address bullying. Then she goes on to say, as quoted, “We have many programs within the CBE to address bullying in a much more preventive manner.”

Basically, what Trustee Ferguson is saying is that we don't have to reinvent the wheel, but we have to consult, we have to collaborate, and we have to evaluate what we currently have and use that as the building blocks, as the starting position. As the hon. Member for Calgary-Fish Creek noted, we have to do that consultation. I'm not suggesting, hon. Member for Calgary-Fish Creek, that it's too late to do that. I agree that it has to be done. I just believe that it would have been better done up front, before bringing in the legislation that lacks the tools or the funding to see the process through.

I am very interested in a bullying bill succeeding. It's absolutely necessary. It is, literally, as we have discussed, a matter between life and death. But when it actually gets into law, let's have it be the best possible bill it can be. Let's have teachers cognizant of bullying aspects that were sort of subtly flying under the radar. Maybe they hadn't realized that there was cyberbullying taking place at home.

Thank you.

**The Deputy Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. It's a privilege to have the opportunity today to speak to Bill 206. I want to applaud the hon. Member for Calgary-Fish Creek. I don't think there is anyone in this House who has done more, who has spent more time working on initiatives that work to protect our children, whether it be from bullying or preventing child exploitation or combating child pornography. This hon. member, I think, deserves the thanks of this House for all of her work in this area.

I personally want to thank her. I have four little boys. One of them is now in public school, and three more are closely following behind. I have to say that as a parent it means a lot to me that this House is considering this bill. I just believe that as parents we should never have to be put in a position where instead of worrying about whether our children are learning about, you know, math, science, language arts, et cetera, we're worrying about bullying, drugs, weapons, violence, and all those things that are sometimes, unfortunately, a part of our schools at this time.

I would suggest that this is a bill that does need to be passed. We can't wait any longer. I don't want to berate, by any means, the Member for Calgary-Varsity for his comments today. It's a good debate to have. It's a good thing to talk about in this Legislature.

But I would say that it is very last minute. My view is that with something coming at this late stage, with this type of last-minute opposition to a bill that is so needed – parents agree that it's needed. Most, if not all, of the teachers that I've spoken to have said that it's needed. I don't know what the political agenda could possibly be from these people that they would come in at the last second and try to scuttle this very important bill. At the end of the day, as politicians and as representatives of the people, the parents and kids that we represent, I don't think that there is any good excuse to not pass this bill as is.

I think that we might need to make some changes in the future. Perhaps we will, but the content of the bill is solid. It addresses a need that is there and problems that exist today, and I truly feel that it would be a big mistake to once again delay passage of this bill. If there were issues that needed to be brought up, they should have been brought up previously, sometime during this year, not at the last second, right before this bill is about to hopefully be passed.

4:50

Mr. Speaker, I think we all know the tragic stories that have happened because of bullying in our schools. I think of Columbine. I think of Taber. I think that in both those cases there was lots of proof that the shooters, the people that performed these heinous acts, were bullied extensively for long periods of time prior to that. It is a terrible thing for a child to have to undergo.

Unfortunately, children, probably because they don't have that filter quite built in yet and don't quite understand the consequences of their actions, sometimes can be very, very cruel. Sometimes totally unknowingly they can be cruel, and that is why it's so important, as many of the hon. members have said today, to educate our kids at home as parents. That's the first line of defence. We need to understand what our kids are doing online so that not only are we protecting them from bullying, but we are making sure that they never, ever participate in bullying, because a lot of kids do so without understanding the consequences of their actions. As parents and as teachers we need to help them understand those consequences. I believe that this bill does that. We cannot continue to cater to the lowest common denominator in our schools. Our schools need to be free from weapons, bullying, and drugs, and we need to do everything that we can to make sure that that is the case.

With that, Mr. Speaker, I do want to again say that I do not feel that we need to wait another minute before voting on this bill and, hopefully, passing it. I think it would be a big mistake to delay it any longer. Our children who are in school right now, at this moment, are waiting for us to pass this bill. I think many teachers and parents are waiting for it, so I would ask every member of this House to make the decision to start toward a final solution, a final successful outcome on this issue by passing this bill into law at this time.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Does any other hon. member wish to speak on the bill? The hon. Member for Calgary-McCall.

**Mr. Kang:** I would like to congratulate and thank the Member for Calgary-Fish Creek for all the hard work she has done on this bill. All the spirit and intent behind this bill are indisputably positive. There are some issues which arose with the passing of the bill. We all know that bullying is a serious problem, and 15 per cent of students in every school are vicious targets of daily physical and emotional assaults. It is a big problem. Only 4 per cent of students report the bullying.

This bill alone will not change the pervasive hidden nature of

bullying. Almost 80 per cent of every school community is made up of a silent majority of students, and these students are the eyes and ears of the school. They know what is going on in the locker rooms, the bus, the gym, and the hallways and on the weekends. These are very caring students who are very capable of dealing with normal day-to-day conflict, but when it escalates into bullying, these students become almost debilitated. Much like adults in the community they are fearful of making the situation worse, fearful of retaliation, fearful of being seen as a rat, and fearful that other adults will not take it seriously. Bill 206 is going to do nothing to dispel this fear. Education and support will.

This bill may run into trouble in relation to Bill 44, which was passed this spring. Bill 44 allows parents to remove their children from any class that explicitly teaches about sexuality, sexual orientation, or religion. As much of the bullying that occurs in the school setting relates to real or imagined issues surrounding these topics, the new potential restrictions regarding educating bullies about sexuality, sexual orientation, and religion may make educational measures programs impossible. So if parents choose to not allow their children to participate in antibullying discussion because of its contents, the school may have no other avenue of discipline.

Should the proposed legislation come into effect, critics are concerned that it will result in a mountain of paperwork for school administrators. They believe that administrators will have far less time to effectively administrate their school because they will spend so much time completing reports and documentation on the smallest issue. According to the Member for Calgary-Fish Creek, the intent of this legislation is not to create paperwork. She believes that there is currently lots of inefficiency when dealing with assault and violence cases because police reports often lack proper documentation. The Member for Calgary-Fish Creek hopes that mandating accurate reporting from all these stages will decrease the workload at the back end. She urged that the paperwork process will not be particularly onerous or bureaucratic, just accurate and adequate.

The problem is coming with the funding part of it. It's a good bill; there is no doubt. You know, I congratulate the member. I thank her for all the hard work she has done. According to the Alberta School Boards Association at their fall general meeting, they said:

The mandatory protocols provided by these amendments:

- do not provide principals with the discretion to progressively discipline students or take into consideration mitigating factors, especially for special needs or disabled students;
- removes the principals' current authority to issue student suspensions, especially to immediately remove a student who threatens the safety of staff and students;
- impacts students' rights to procedural fairness if the student fails to participate in the mandated educational measures program;
- creates onerous, potentially unworkable tracking and reporting requirements to determine when "bullying" as defined occurs;
- fails to require parental notification and involvement; and
- does not provide any guidance or meaning as to what an educational measures program consists of or is meant to do.

Given the above concerns and the short time to pass the bill . . .

**An Hon. Member:** Let's have a vote.

**Mr. Kang:** Well, I think we should look into what exactly an educational measures program is. Are these programs already in place? For school boards that do not currently have these programs,

where is the funding going to come from? Do these programs have to be expanded if the legislation passes? What if the peace officer and the principal disagree? Who has the authority? Does this section mean that a principal alone cannot determine whether the student must take part in an educational measures program? So what is the motivation behind requiring the involvement of a peace officer in these infractions, and should there be a peace officer . . .

**The Deputy Speaker:** Hon. Member for Calgary-McCall, I hesitate to interrupt. It's 5 o'clock. The matter of Bill 206 has ended for today.

We'll go on to the next item.

## 5:00 Motions Other than Government Motions

**The Deputy Speaker:** The hon. Member for Lethbridge-West.

### Seniors' Property Taxes

518. Mr. Weadick moved:

Be it resolved that the Legislative Assembly urge the government to consider exempting seniors from paying the education portion of property taxes.

**Mr. Weadick:** Thank you, Mr. Speaker. It's a pleasure to rise today on the Monday towards the end of this session. Private members' business is that unique opportunity where we as private members get to come forward with ideas or recommendations from our communities that represent the fabric and the fibre of our communities. It's a real pleasure for me to rise today on an issue that has been brought to me many times in my community and that I feel is very important. I rise to open debate on Motion 518.

Mr. Speaker, this motion proposes that the government consider exempting seniors from having to pay education property taxes. Now, when I brought this idea forward over a year ago, we hadn't seen the downturn in the economy. Things were humming along quite nicely in Alberta. Since then we have seen some impact, so I am going to preface my opening remarks by saying that I believe that if we bring this in – I'm hoping everyone will support it – we bring it in at the time when we're back in the black and we've moved the province forward through this recessionary time and we're again showing the kind of surpluses within our province.

Alberta's seniors' community has a very, very strong and proud history in this province. This motion is the result of many discussions with seniors and seniors' organizations in Lethbridge, and I wanted to make a special note of two of those, Mr. Speaker. Lethbridge Senior Citizens Organization represents about 4,000 people in Lethbridge. Nord-Bridge seniors' centre has, I believe, around 2,000 members. These are organizations that work very, very hard night and day to represent and provide services to the seniors in our community. They have met with me and talked to me about how important it is to try to help seniors stay in their own homes.

Our seniors today have experienced a great deal of change in the past few years. Many of our seniors are facing financial hardship today, and I believe this deserves our attention. Mr. Speaker, impacts from the markets as they went down reduced returns on our seniors' investments, and fixed incomes have created significant challenges for the seniors in our communities. As Alberta seniors continue to enrich our communities as our parents and our grandparents, as our neighbours and so forth, it is timely that we look at ways to ensure that our Alberta seniors are able to make the most of their retirement years.

Seniors are also some of our most active and valuable volunteers. They help maintain the fabulous quality of life we enjoy in Alberta,

Mr. Speaker, and we need to help them stay in their own homes. Seventy-one per cent of Alberta's seniors live in their own homes. I can honestly tell you that home is where the heart is, and it's where the heart is for our seniors. I don't want to see our seniors have to leave their own homes due to financial hardship. Motion 518 is aimed at helping alleviate the financial pressures that our senior homeowners are facing. This is about fairness to our seniors. Living in lodges, they do not pay property taxes, so this would be an opportunity to level the playing field.

As the hon. members likely know, property taxes have been a source of education funding since Alberta became a province in 1905. While municipalities are currently in control of their property tax structure and assessment, the province sets its requirement for collecting property tax revenue for education in terms of amounts deposited into the Alberta school foundation. Because of their ability to provide a large and stable resource for education, property taxes have helped ensure that young Albertans receive a quality education and are prepared to lead the province as our previous generations have so capably done.

Interestingly enough, Mr. Speaker, over time the general revenue fund has provided an increasing portion of education funding. Over the past 16 years education property taxes themselves have been either reduced or frozen and are now 40 per cent lower than they were in 1993. Currently about 21 per cent of education spending is funded by the education property tax while the remainder comes from general revenue. Although it has been suggested that the education portion of property taxes be abolished altogether, Motion 518 simply proposes we alleviate the burden on our seniors, who in many cases need it the most, Mr. Speaker.

As baby boomers continue to age, Alberta is currently seeing a rapid shift in our seniors' demographics. Seniors now make up just over 10 per cent of our total population, but it's estimated that in the next 20 years that will grow to 20 per cent of our population. This accounts for a sector of the population that is growing at a faster rate than any other in Alberta, and we are committed to helping them maintain the quality of life they deserve. Mr. Speaker, this means helping our seniors age in place. Seniors should be able to remain at home in the communities they know and love. We have committed to this principle through our continuing care strategy. Part of this is helping seniors with home care when they're able to remain at home, alleviating the pressure on seniors' facilities. We must help seniors to age in the right place, and for many of our seniors that right place is right in their own homes.

Although seniors are by no means the only group facing financial challenges due to the high cost of living and of maintaining their properties, they certainly share some unique challenges, including potential expenses for medical assistance and services. By eliminating this portion of the property taxes for seniors, we can ensure that our senior homeowners can retain some extra money, helping them remain in their homes longer and maintain a suitable quality of life.

Mr. Speaker, I would encourage all members to join me in supporting Motion 518 in an effort to address the financial pressure of some of our most valuable friends, parents, and grandparents: our seniors. Thank you.

**The Deputy Speaker:** The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much. I speak in favour of Motion 518. What Motion 518 will cause to happen is finally the promise that Premier Klein made back in 1994, 15 years ago, that when we were back in a position of having the debt paid off – well, of course, he didn't anticipate that we were going to go back into debt again. That being said, the promise was made to seniors 15 years ago that the

education portion of the property tax, that they're currently suffering, would finally be removed as it was prior to the harsh treatment they received along with every other member of society and social service back in the 1990s.

This is finally providing that promise. It may be 15 years late, and a number of fixed-income seniors may have had to move from their current dwellings into either continuing care or long-term care, but the notion of keeping seniors in place and aging in place is absolutely wonderful. It's not only ethically and morally defensible, but from an economic standpoint if we can keep a senior in their home with some visiting nurse, whether it be the old-style VON, for example, or through support from the health regions, this is wonderful.

Now, there are programs that currently exist which would make Motion 518 realizable when it comes to aging in place. For example, the Meals on Wheels program is now approaching its 43rd year. It started out operating out of church basements, and it has expanded to deal with the ever-increasing aging population, of which the Member for Lethbridge-East, being a little younger than myself – I can truly appreciate that we're part of that generation, the baby boomers, who are certainly soon going to be requiring that support.

Meals on Wheels provides a series of supports. It not only delivers meals; it delivers the opportunity for seniors to actually do a little bit of stockpiling if they have sufficient independence to be able to warm up their own foods. For those who don't have that type of independence or are nervous about cooking, they can provide the warmed meals right there on the spot.

#### 5:10

Now, to the government's credit they have provided grants. I would suggest that within the last five years, I think, the total of grants for Meals on Wheels is approaching approximately \$6 million, and I stand to be corrected if I've lowballed that amount. But I know that Meals on Wheels has currently purchased a large property which would suit their purpose, but they have not sufficient funding to have the kitchens developed in this large warehouse that was once a sports store. Alderman John Mar has recommended to his city council aldermen that they consider providing some millions of dollars of support in terms of bridge funding so that if that facility isn't actually going to be where the new Meals on Wheels is set up, they could at least either use the money that they've accumulated from the acquisition of the property to purchase another property or use the money that Alderman Mar has suggested to provide the equipment for the existing facility.

Bringing the Meals on Wheels out of their current small location on Macleod Trail and moving it further to the northeast would be of great aid to what Motion 518 from the hon. Member for Lethbridge-West is proposing because, obviously, in order to keep seniors in their homes, they're going to need supports. When you consider the economic argument of having a senior take up an acute-care bed at a cost of \$1,900 a day, think of how much farther and how much more humanely we could deal with seniors by supporting programs like Meals on Wheels, supporting programs of visiting home care, visiting services, for example, for cleaning and so on.

Now, the unfortunate part for a senior who lives in the inner city, because at that point it might have been sort of a suburban circumstance when they first bought their home for under \$10,000, is that the property taxes are absolutely undermining their quality of life, yet they're afraid of the costs associated with a continuing care facility, where they're nickel and dimed for every piece of toilet paper, for every Depend, for every kind of service that they need as opposed to the long-term care potential. The hon. Member for

Lethbridge-East has brought up so many questions over the years about the importance of aging in place, and there's no better place within the possibilities of living at home.

I lost my mother two years ago January. My dad had tried very much to accommodate the aging-in-place scenario. My dad, incidentally, is 86. He did everything in his power to keep my mom in that place on 37th Avenue S.W., as much as he could. Then my dad's own well-being was starting to suffer after he had done as much as he could. I helped, my brother helped, my sister helped, our spouses helped, but it was getting to the point where that aging in the house could no longer take place. At that point, regrettably, father sought out some care facility. To their credit, Cedars Villa did the best they could until, unfortunately, my mother passed away.

Given the fact that so many of us are in that sort of squeeze generation, where we have grandchildren, on the one hand, and aging parents, on the other, anything that can be done to support our parents – as I noted, three years from this past Sunday I'm going to be at that pensionable circumstance, and I'd like to think that there was support for me. Mind you, I'm fortunate because I have the benefit of a teacher's pension, and I will have the benefit at the point that I retire of having the allowance that's provided for retiring MLAs. But the majority of fixed-income seniors don't have those benefits. As I say, their properties, while taxed highly, don't have the actual value. It's their location, not their physical structure, that accounts for the cost, and they don't have the money to fix it up. We do have little programs like Snow Angels and so on to assist them, but if Motion 518 goes from the initial stage that's being proposed and actually turns into law, then seniors are going to benefit.

I thank the hon. Member for Lethbridge-West for finally keeping Premier Klein's promise, 15 years late, but for those seniors who still can benefit from it, better late than never.

**The Deputy Speaker:** The hon. Member for Airdrie-Chestermere, followed by the hon. Member for Calgary-North Hill.

**Mr. Anderson:** Thank you, Mr. Speaker. I want to address Motion 518, and I want to commend the hon. Member for Lethbridge-West – I would never want to call you the hon. Member for Lethbridge-East – for bringing this forward because I know where that pressure point is coming from. I understand that seniors are very, very vulnerable to changes in the economic climate because they are on fixed incomes, and they're very vulnerable to changes in taxation because they are on fixed incomes. I don't in any way with my comments here today want to undermine the very serious issues that seniors, especially today's seniors, are dealing with in regard to increasing costs of living and fixed incomes, even decreasing incomes if you take into account the problems in the stock market of late.

I don't think that solving this issue by essentially exempting them from property tax is the right move going forward. I think that education, the education of our youth, the education of children, is important to society as a whole, not just to the parents who have their kids in school, not just to nonseniors. It's important to seniors that our children are properly educated and that there is sufficient funding for our public schools to appropriately educate our kids. I don't think that it's fair to exempt them from education taxes.

However, having said that, realizing the pressure that they're under – you know, there's a book that I read last year. No, it would have been two years ago, during the summer. It is called *The Seven Habits of Highly Effective People* by Stephen Covey, a very good book. I suggest that if you haven't read it, if anybody in the House hasn't read it, by all means take a look at it. It's very, very profound advice and a very good read. One of the seven habits that he talks

about in that book is synergy. He talks about how we often think of things in society and debates and issues in society as win-lose, how there's always a winner and there's always a loser. So we either tax seniors through property taxes, and then they're the loser, or we don't, and they're the winner. There are a hundred different examples of that that we see every day.

What synergy means is that you find win-win situations or win-win-win situations. There are ways, there are solutions that are out there that allow everybody to win if we're willing to work together and be innovative and get away from the status quo that sometimes we as policy-makers or as people in general fall into.

5:20

I hope that maybe we can find a more synergistic way to deal with this problem. I think everyone in this House understands fully the need to assist our seniors with the escalating costs that they're facing. We also see the need to continue to have property taxes or school education portions of the property taxes paid for the benefit of our kids, for the benefit of schools and education.

Is there a solution? Well, one of the solutions that I think many people in this party have been talking about for some time – I know the hon. Member for Whitecourt-Ste. Anne, who's not here today, has done a lot of work on this issue – and others believe we might want look at is something like the program they have in British Columbia where they allow seniors to defer their property taxes as a lien, basically, against their home. In other words, they don't pay the property taxes to the government. That amount that they owe the government in that year: they still owe the government that amount, but it is placed as a lien against the title of their home so that when they sell the home or they pass on and dispose of the home, that asset, to their heirs, the government then collects at that time the outstanding lien, the outstanding property taxes that were due on that home.

It's a fascinating program to look at because I think it accomplishes the synergy that I was talking about. It's a cost-neutral program for the government. They still get the property taxes for education. They might, for the first little bit, have to wait a little longer for it, but it's also cost-neutral in that there is a very respectable rate of interest. It's not too much, but it's enough to cover the costs of inflation and of administering the program. It is cost-neutral to government, so they can continue to make the investments in education that are needed. At the same time, it allows seniors to defer, in some cases, hundreds of dollars in property taxes that they would have otherwise had to pay. They still do have to pay those taxes. It's just that it's when they sell their home or their home is disposed of upon their passing away.

It's a win-win situation there. Of course, by lowering the property tax for them, by essentially allowing them to go several decades in their senior years without paying their property taxes if they so choose – it's a totally optional program, obviously – it frees up a lot of income for them or takes away an expense, I guess you could say. That makes a big, big difference for seniors, especially when housing prices escalate and property taxes, of course, escalate with those housing prices. My understanding of the B.C. program is that it doesn't just apply to the education portion of property taxes, which we've frozen anyway as far as my understanding is right now in Alberta; it also applies to their entire property taxes.

It really is, I think, a win-win scenario for all people involved, especially seniors. I hope that instead of looking at a win-lose proposition that we should have seniors' education portion of property taxes or we should cut those, maybe we should look at a way that all sides can benefit and we can get the same benefits as a

society that we do now from payment of those education property taxes.

Again, I admire and thank the hon. member for bringing this motion forward. It addresses a very key and important issue that seniors are dealing with right now. Although I will be voting against this specific motion, I think that the debate and discussion that he has caused by bringing this motion forward was worth while.

I appreciate the House's attention while I spoke of this. Thank you very much.

**The Deputy Speaker:** The hon. Member for Calgary-North Hill, followed by the hon. Member for Calgary-Buffalo.

**Mr. Fawcett:** Thank you, Mr. Speaker. I, too, want to commend the Member for Lethbridge-West for bringing this forward. I have a large number of seniors in my constituency, and as was mentioned by the Member for Calgary-Varsity, my constituency is primarily made up of what you would call inner-city neighborhoods now that 50 years ago, when many of the houses were built, were what would typically be known as suburban communities. Particularly over the last, say, decade those properties have seen exponential increases in their property taxes. When I was door-knocking during the campaign, and when I go around and talk to seniors in my constituency, a number of them brought this particular issue up as a huge concern for them as to how they were going to make ends meet being on a fixed income and seeing these exponential year-over-year increases on their property.

There's no doubt that living in these communities has a distinct advantage and that many of these properties are sought after because of their close proximity to downtown, Mr. Speaker. I know that to get from my place to downtown even in rush hour only takes me about eight to 10 minutes, and that's something that we put a premium on, but that's done a lot to increase the property values in the area, and many of the seniors just can't, with their current financial situations, deal with this. So I do commend the Member for Lethbridge-West for bringing this forward because it does recognize a huge issue in my constituency.

I want to also applaud the comments of the Member for Airdrie-Chestermere because as I remember going around and talking to seniors during the election campaign over a year and a half ago, it kind of dawned on me that the education portion of the property tax was a tax base where I thought that the government could use some creativity to try to help seniors a little bit better with their financial picture, particularly those that are really struggling with exponential cost increases on their property tax bills. One of the things that I know was discussed in talking with seniors in my area was the thought of: well, if you're going to collect the tax revenue, why isn't it dedicated specifically towards seniors' programs instead of education, or why don't you just cut the tax altogether?

Then, as the Member for Airdrie-Chestermere indicated earlier in his comments, the B.C. government has its own model of how they provide some relief to seniors that are in these difficult positions. Not only do they talk about the education portion of the property tax but the whole entire aspect of property taxes. So these are all good discussions that I think are important to have.

Obviously, as the demographics in our province shift and we have more and more seniors, the programs and benefits that are offered to seniors are going to come under considerable financial constraints, so the thought of dedicating that tax revenue specifically to seniors' programming such as pharmaceuticals or assisted living or long-term care is also another option.

On the other hand, there was a lot of mention leading up to the last election about what to do with this portion of the property tax. I

know the mayor from Calgary had a certain proposal out there as to how the province should forgive this area of property taxes and hand it over to municipalities. Again, I believe that that's probably not needed as our province, our government, has provided municipalities an unprecedented amount of money through the municipal sustainability initiative.

The point is, Mr. Speaker, that this is an area where I think we can do some considerable work, I certainly will be supporting this motion because I think it would go to assist those seniors in my area that are just having a hard time in paying their financial obligations. I know that when I get my property tax bills every month, I shake my head. I know that I have to pay it, but it's a tough pill to swallow, Mr. Speaker. I can just imagine what it's like to have lived in those communities your whole, entire life, raise your family and live in that house, and feel like you might have to move out because the property taxes are just too high for you to meet.

5:30

That being said, obviously education is something that's a priority of our government. It's certainly key to our economic recovery moving forward. I don't want this to be construed as the government not supporting education. The fact is, Mr. Speaker, that with the funding framework that we have in education today, this money is collected and is put into general revenue. I know that there are some technicalities amongst that, but I believe that the education portion of the property tax – and I can't remember if this is an exact number – only pays for about 20 per cent of the money that we spend on education anyway, and about 80 per cent of it, in fact, comes from general revenue.

The other fact is that it doesn't matter whether you indicate on your property tax bill or your census whether you support the public system or the separate system. The funding flow is based on the students that are enrolled. In fact, I know of many examples where, you know, someone has indicated on their census that they support the separate school system. They have one child in the separate school system, another in the public, and in fact that tax money, that public money, still flows to the appropriate school board where that child is getting their education. Really, this issue around the education portion of the property tax is not really linked to any sort of education funding, Mr. Speaker.

I just wanted to make it clear, in supporting this motion, that I still strongly support the commitment that this government has made in making education a priority in this province. I believe that on a per capita basis, right from K to our postsecondary institutions, we do provide some of the largest funding blocks in all of Canada.

With that, Mr. Speaker, this is certainly a motion that would go a long way to help the seniors in my area. If not implemented, I would at least urge the government and the minister – I see the Minister of Seniors and Community Supports there, who's been a great advocate for seniors; I know the Member for Whitecourt-St. Anne has been a huge advocate for seniors and chairs our seniors advisory panel – to look at some innovative ways that might assist seniors, whether it's keeping the tax in place and dedicating it specifically to seniors' programming or whether it's a deferral program, from the Member for Airdrie-Chestermere, or whether the government just has that revenue that it could forgo by getting rid of the tax altogether.

I know that the Member for Lethbridge-West mentioned at the beginning of his remarks that the financial picture in this province has certainly changed greatly over the last year, from where it looked like, you know, this revenue might be something that the province could forgo. That might not be an option, Mr. Speaker, but I think that the issue and the intent behind the Member for

Lethbridge-West was to really help those seniors that have built our communities, that still want to live in our communities continue to be contributing members by living in their own homes.

With that, Mr. Speaker, I'm open to listening to debate from other members.

**The Deputy Speaker:** Thank you.

The chair received notes indicating those who want to speak here: the hon. Member for Calgary-*Buffalo*, the Minister of Seniors and Community Supports, the Member for *Strathcona*, the Member for *Calgary-Fish Creek*. Any others?

Okay. The hon. Member for *Calgary-*Buffalo**.

**Mr. Hehr:** Well, thank you, Mr. Speaker. It's indeed a privilege to rise and talk on Motion 518, the education property tax exemption for seniors. I'd like to start by thanking the Member for *Lethbridge-West* for making this motion. I do recognize that the intent of the motion is really on noble grounds in that many of our seniors, in particular, right now are having a difficult time making ends meet. This would serve to reduce some of the expenditures that some of those seniors are facing at this time.

That being said, I do look at things in an overall picture. Education is very important to our province, very important to most people, including most seniors, and they would recognize the need for some collection of taxation to go towards the provision of a publicly funded education system. So it's definitely a bill that has pluses and minuses.

I must say that my comments are very similar to those of the Member for *Airdrie-Chestermere*. I want to point that out because it's rare that I find myself at times in this Legislature echoing the comments of the Member for *Airdrie-Chestermere*, but on this, essentially, my comments are on all fours with him.

Right now we could tailor this legislation better than the way it is currently crafted. There are many seniors in our province who have done very well over the last number of years and who are able to contribute to the running of the public education of our youth. Accordingly, I think some of the models could be, I guess, switched a little bit to be targeted towards more lower income seniors, people who are having a more difficult time, maybe extending limits of where currently the support needs are. You know, some seniors, who are extremely wealthy, I think could and should continue to pay the tax.

I really like the idea of possibly deferring these taxes as in the B.C. models. Couldn't the Public Affairs Bureau, when they're done with advertising that rolling brownouts may occur, get on the "wouldn't it be nice?" sort of refrain that you hear on TV, where they're selling those deferred mortgage payments? We can roll out that advertisement to our seniors that they don't have to pay their education property taxes for a number of years, that they can essentially be deferred for a long time, and that they're paid back when they eventually leave their homes. I think those are much better ways to run a tax system. I think they're more targeted than an outright, blanket revision of seniors from paying into the system, shall we say.

Like I said, I support the intent of Motion 518, which is to assist seniors who are being squeezed by fixed incomes and rising costs, but those people whom we should help are those people who are truly on fixed incomes who are being squeezed. Some seniors may be on fixed incomes. However, they're not necessarily under the definition of being squeezed.

In conclusion, again I'd like to thank the Member for *Lethbridge-West* for recognizing that many seniors are out there in a difficult time and for bringing this motion forward to highlight that fact.



However, I think there are just better ways, both within our tax system and in the way we've set up things, that are available in other jurisdictions, like B.C. and others, that we could learn from.

I thank you very much for allowing me speak on this motion, Mr. Speaker.

**The Deputy Speaker:** The hon. Minister of Seniors and Community Supports.

**Mrs. Jablonski:** Thank you, Mr. Speaker. A quality education system benefits everyone. Just as the Member for Calgary-Buffalo suggested, this bill has pluses and this bill has minuses. Alberta students become our future doctors, engineers, teachers, tradespeople, police officers. They perform valuable roles in our society, and their roles include caring for and serving our seniors. All Alberta property owners support the system by paying the education portion of their property taxes. Currently there are almost 400,000 seniors in this province, with about 70 per cent owning their own homes and paying property taxes. We do have the education property tax assistance program for seniors to help senior homeowners with their property taxes.

For the 2008 tax year approximately 72,000 seniors' households benefited from the program with an average rebate of \$85. In addition, municipalities such as Edmonton, Strathcona county, St. Albert, Brooks, and Grande Prairie have rebate programs to help with property taxes for low-income seniors. Calgary also has a program to waive increases to municipal property taxes for low-income homeowners.

5:40

We have to keep in mind, Mr. Speaker, that our population is aging. Within 20 years about 1 in 5 Albertans will be a senior. With the focus on keeping our assistance for seniors sustainable, which the Demographic Planning Commission heard is important to Albertans, we need to ensure we continue to assist those seniors who are most in need. It's also important to keep in mind the full picture of government assistance for seniors and not just look at one program.

Across all ministries this government has budgeted more than \$2.5 billion to seniors alone this year through income supplements and assistance with a variety of expenses, including prescription drugs, long-term care, housing, dental work, special needs, and the aids to daily living program as well as eyeglasses. Together these programs and benefits provide seniors in Alberta with one of the most comprehensive benefit packages in the country. These programs are essential in relieving the burden on low-income seniors.

With the current level of assistance available to seniors combined with the benefits of receiving quality and essential services from Albertans educated in our schools, I am not supportive of Motion 518 at this time.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Strathcona, followed by the hon. Member for Calgary-Fish Creek.

**Mr. Quest:** Thank you, Mr. Speaker. I'd also like to commend the hon. Member for Lethbridge-West for bringing forward this motion. I appreciate the opportunity to rise and add to the debate on Motion 518, which urges the government to consider exempting seniors from paying the education portion of property taxes.

There's a long history of funding education in Alberta, and property tax has been a source of this education funding since 1905. As many of you are already aware, the Alberta school foundation

fund was established in '94. Property tax revenue for education is collected from municipalities four times a year and is deposited in the ASFF for reallocation to school boards. The education property tax funds about 21 per cent of education expenditures, not including capital, while the remainder comes out of general revenues. Currently, in '09, property assessed at \$400,000 has an annual education property tax of \$1,356 for the same year, or \$339 per \$100,000 of the assessed value.

Mr. Speaker, I think it's important to note that education property tax has been lowered or frozen every year for the past 16 years. Reductions for 2009 and 2008 were 16 per cent and 10 per cent respectively. Further, I believe you must consider the assistance that's already been put in place for seniors under the education property tax assistance for seniors program, already in place since 2004. The program is not based on income. It protects all seniors, 65 and homeowners, from increases in the education property tax by providing a refund. In 2006 nearly all seniors in Alberta received some income from government transfer payments.

I think it's also important that we examine the demographics of our seniors population in this province. In 1972 there were a total of 123,000 seniors compared to 361,000 in '07, a nearly 300 per cent increase compared to a 200 per cent increase in the population overall. By 2031 it's projected there will be more than 880,000 seniors in Alberta, amounting to 20 per cent of the total population.

Most seniors live in private households. In 2006 about 71 per cent of seniors in Alberta lived in homes which they owned. Of the seniors that owned homes, 20 per cent had a mortgage; the remaining 80 per cent had no mortgage. Such an amendment would exempt seniors from the education property tax and would help senior homeowners who depend on fixed incomes. With additional income some seniors could potentially keep their homes longer, aging in place, and as such it is possible to improve the quality of life of senior homeowners.

Mr. Speaker, everyone benefits from and should support education in their communities. Many seniors are grandparents, and it may be justified that they are supporting the educational well-being of children in Alberta. Other demographics could also benefit from not having to pay the education property tax on a needs-based justification. Essentially, since 2004 seniors have been protected from increases in the education property tax. I think the ideas that were discussed by the hon. Member for Airdrie-Chestermere earlier definitely have merit. We need to do something to keep our seniors in their own homes.

Mr. Speaker, there is merit to both sides of the argument. Motion 518 could potentially help seniors who are on fixed incomes. At the same time, we do have programs in place to support our aging population with their needs. I think it's an important dialogue. I look forward to continued discussion on this issue and will watch with interest further debate on Motion 518.

**The Deputy Speaker:** The hon. Member for Calgary-Fish Creek, followed by the hon. Member for Lethbridge-East.

**Mrs. Forsyth:** Thank you, Mr. Speaker. I'm pleased to rise and join the discussion on Motion 518, which calls for exempting seniors from paying the education portion of their property tax. Our government recognizes the tremendous contributions seniors have made to our province, and a central focus of our government's economic recovery plan, The Way Forward, is to help seniors by supporting the programs and services they need most, such as health care and housing.

I believe this motion asks our government to consider an important change that could alleviate the tax burden on senior homeowners.

ers. Exempting seniors from this tax would especially help senior Albertans who are living on limited incomes. Senior homeowners could refocus the financial savings from this tax exemption to other priority areas. We know seniors still bear a cost related to home ownership, and with more money in their pockets they may be able to afford important home upgrades. Furthermore, Mr. Speaker, seniors who have a less comfortable financial situation are often more reliant on community and financial supports. If we provided them with more savings, we could potentially reduce their dependence on the services and programs. The savings from this exemption for those seniors could largely outweigh the decrease in revenue to the Alberta school foundation fund as seniors represent a small portion of the taxpayers who contribute to this fund.

Alberta has the lowest percentage of seniors in comparison to other provinces. They represent only 11 per cent of our population. With this proportion of our population likely to increase in the years to come, this demographic shift would only slightly slow the increasing portion of education funding from the ASFF over general revenue. Moreover, providing an exemption from the education property tax would greatly assist many seniors throughout the province. These savings will allow seniors an opportunity to improve their quality of life by using their financial savings to supplement other wellness aids. I think this is just one of the many benefits our government should look at when considering whether or not to exempt seniors from this tax.

Mr. Speaker, at the latter point of their life seniors have often already supported their children and grandchildren through the primary and secondary levels of school, fulfilling their obligations to this essential service. Additionally, seniors have contributed to the tax base for years. This motion will assist those seniors who are on below-average incomes and dependent on assistance programs. Mostly and more importantly, the exemption put forth in Motion 518 will strengthen the financial independence of seniors. Alberta's seniors have contributed to building strong communities across this province and continue to help build these communities today. We need to assess every option we have to ensure that they are receiving the support they need and deserve.

I believe this motion proposes a fiscally sound objective that will assist our province's elders, and I am pleased to offer my support. Thank you.

**The Deputy Speaker:** The hon. Member for Lethbridge-East, followed by the hon. Member for Drayton Valley-Calmar.

**Ms Pastoor:** Thank you, Mr. Speaker. It is with particular delight that I stand today to support this motion from my colleague from Lethbridge-West. I think it is a very good motion. As we all know, often a private member's motion will move into a private member's bill, or if it's really a good one – and in this case I would hope it would be that – it could move into a government bill, and then the discourse, of course, goes on a totally different level.

The Member for Lethbridge-West and I actually speak to the same seniors, so to put the Member for Airdrie-Chestermere's concern at rest, never, never have we ever been mixed up between who's west and who's east.

5:50

There are any number of ways that we can discuss this, but I think the concept that the member is bringing forward is that in some fashion we have to be able to give our seniors a break on their property tax if, in fact, we want them to stay in their homes. One of the other suggestions that could be brought forward, in addition to the two or three other concepts that are for further debate, could

possibly be that some seniors could be evaluated on a means test, as they will be for their pharmaceutical plan. I know that that's very, very unpopular amongst seniors, particularly the older ones that we have today, who respect their privacy. They have their privacy, and to have to share all of this type of personal information is often very difficult for them, but I think that could be one fair way of at least looking at what we should be doing with these property taxes.

One of the other suggestions that I've heard but in a different fashion when I talked to different seniors' groups is that instead of the money going into general revenue, where basically the education tax goes at this point in time, it would go directly to the minister of seniors, and then from there those dollars could be put out to support seniors' centres, and then the seniors' centres could be providing many more services so that seniors don't have to go to doctors' offices, don't have to go to government offices. The care and the information that they would need would be at their seniors' centres. It was very interesting as I went across the province to four or five different areas, both rural and urban, if a municipality had strong seniors' centres with a large number of members, then they were very much in favour of that idea. But if they didn't have a seniors' centre that provided the extra and didn't have a large membership, they were basically opposed to that idea. I think that the idea has merit, at least to be discussed.

I would like to go back and just say that I'm certainly in support of this motion and thank the Member for Lethbridge-West for bringing it forward. I think it's time that we had this discussion. This is the first step. I'm trusting that next year we will be able to have steps 2, 3, and 4 and actually come to some sort of a consensus where seniors will get the break on the education portion of their property tax. Seniors have paid their dues.

I think that when we look at education – and I realize the importance of it. I think it's also very important that we support our seniors and keep them healthy. In the long run we may be educating our young but at a high, high cost to our health care if we have to look after seniors that can't live in their homes and have to come into the health care system. It is a bit of a catch-22. I think it's something that would certainly require more discussion. In terms of how we level off who is responsible for education, shouldn't it be the parents and, certainly at the postsecondary education level, perhaps the students themselves through loans and whatever? The seniors should get the breaks that they need to be able to live in dignity and respect to the end of their days.

Thank you.

**The Deputy Speaker:** Hon. members, the timing is perfect here. It's five to six. I would like to invite the hon. Member for Lethbridge-West to close the debate on Motion 518.

**Mr. Weadick:** Thank you, Mr. Speaker. I won't speak for very long, but I sure appreciate the excellent debate that we've had on this motion. What's really been heartening to hear is the support that there is across the board for our seniors in the province of Alberta.

What I really wanted to take a minute to say is that through our minister of seniors and through the department and through many of our departments we have some of the finest seniors' programs in the country. We've made a real commitment to try to help our seniors stay in their homes. We know that it's cost effective for seniors to stay in their homes, it's cost effective to provide health care and other support services in their homes, and it's a much higher quality of life for seniors to be able to stay in their homes.

This is really an issue that's about fairness. Seniors that live in lodges do not have to pay property tax, so this is something that would allow a level playing field for all of our seniors, allow them

to stay at home longer. I think that's been a goal of this government. I've heard our Premier talk many, many times about how critically important it is to allow our seniors to age with the highest and the best quality of life. When I go out and talk to seniors, that best quality of life is right in their own homes, right in their own communities, with their families, with their children, on their farms, in the places where they grew up, and I think we need to support that. This is a wonderful opportunity to do that. This is a chance for us to give them that little extra bit of help beyond all those wonderful programs. This is just to say thank you for all those years that

you paid taxes, that you supported our children in their education. This is a little bit that we can give back.

Thank you, Mr. Speaker.

[Motion Other than Government Motion 518 carried]

**Mr. Hancock:** Mr. Speaker, I would move that we adjourn until 7:30 p.m.

[Motion carried; the Assembly adjourned at 5:57 p.m.]





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